



## REDEPLOYMENT AND REDUNDANCY POLICY AND PROCEDURE



Mae'r ddogfen hon ar gael yn Gymraeg. This document is available in Welsh.

### Cardiff West Community High School

Published by the LA	January 2018
Approved by the Education SAJC	January 2018
To be considered by the Governing Body	March 2018
To be reviewed	March 2021

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## SECTION 1 - INTRODUCTION

### INTRODUCTION

1. This is a model Redeployment and Redundancy Policy and Procedure recommended by the Council for adoption by Governing Bodies. It is underpinned by Conditions of Service and Statutory Redundancy requirements.

### ROLES AND RESPONSIBILITIES

**It is the responsibility of all those involved in the process to read, understand and comply with this policy and procedure.**

### GOVERNING BODY

2. Where there is a need to undertake a redundancy process of selection for redundancy, the Governing Body will need their Staff Dismissal and Disciplinary Committee (referred to as the Determining Committee) to fulfil this role. In accordance with the Staffing of Maintained Schools (Wales) Regulations 2006 (as amended) the Staff Disciplinary and Dismissal Committee will have no less than three and no more than five Governors, and will have full delegated powers. The committee will not include employee governors or any governor with a pecuniary interest/ conflict of interest (e.g. family member at school).
3. The Governing Body must also appoint a Staff Dismissals and Disciplinary Appeals Committee, which in accordance with the Staffing of Maintained Schools (Wales) Regulations 2006 (as amended) must have the same number of Governors as there were on the Determining Committee, but these must be different Governors to those who made the initial decision. Again, this Committee will have full delegated powers and will not include employee governors or any governor with a pecuniary interest/ conflict of interest (e.g. family member at school).
4. The Governing Body will ensure that accurate records are kept of each stage of this procedure, and that trade unions are provided with relevant documents, which include the School Improvement Plan, budget information (for following financial year, current financial year and previous year), number on roll for last 3 years and projected for following year and employee establishment information (including approved structure). Notes of meetings with trade unions and employees will be shared with those parties. All such records will be regarded as confidential and retained in accordance with the provisions of the Data Protection Act 1998.
5. The Governing Body will ensure that regular meetings are held with employees to keep them informed and updated on developments. This responsibility may be delegated to the headteacher but the Governing Body have a duty of care to support the head teacher in duties delegated to them under this policy.
6. The Governing Body is committed to equal opportunities and in no circumstances will a selection be made on the basis of protected characteristics under the Equality Act 2010, except where the law expressly permits such discrimination. Protected characteristics are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

7. In the case of Foundation/Voluntary Aided schools, the Governing Body as the employer must ensure it provides the final notice of redundancy to employees.
8. Members of the Determining Committee and Appeals Determining Committee should be aware that the process will involve a number of meetings within a relatively short period of time. The specific dates and in particular the times may not be known prior to the commencement of the process and may also be subject to change at relatively short notice. The periods March to end of May are particularly relevant but the process may coincide with other times of the year. Therefore, governors should be mindful of this time commitment when putting themselves forward for membership of these committees. Failure to complete the process within this period could impact on the school budget to the requirement to fund additional notice periods.

#### CHAIR OF GOVERNORS

9. It will be the responsibility of the Chair of Governors through the Clerk to the Governing Body to consult with the Education Service Area Joint Committee recognised trade unions and employees on the need to reduce the employee establishment.
10. The Chair of Governors will need to ensure that appropriate letters are issued in line with this policy.

#### STAFF DISMISSAL AND DISCIPLINARY COMMITTEE (DETERMINING COMMITTEE)

11. The Terms of Reference of the Committee agreed by the full Governing Body will be to ensure that the Redeployment and Redundancy Policy and Procedure, and the selection criteria therein, are complied with, and to identify an employee or employees for dismissal on the grounds of redundancy.
12. The Determining Committee will identify the category of employees where a reduction must take effect, i.e. teaching or support staff. It will then undertake a process of selection based on consideration of the following criteria:
  - The leadership/ management needs of the school
  - The curricular needs of the school

#### APPEAL COMMITTEE

13. The Terms of Reference of the Appeals Committee agreed by the full Governing Body will be to consider any appeal from an employee identified for termination of employment on the grounds of redundancy in accordance with the Redeployment and Redundancy Policy and Procedure.

#### HEADTEACHERS

14. Undertake agreed delegated duties under this policy, to ensure open communication with staff to include regular meetings with employees and one to one meeting where requested.

15. In the case of secondary schools provide a clear rationale and evidence in terms of the school timetable which highlights the areas of surplus lesson capacity and from where redundancies can be selected.
16. Request and approve the completion of staff pro-formas at Appendix 2
17. Provide anonymised employee details to the Determining Committee, using Appendix 3a, b or c. So far as is possible, the identity of individual employees will be protected.
18. Discuss the school establishment and review temporary contracts at the beginning of the process with HR People Services. Seek further advice from HR People Services as required. As well as liaising with Financial Services with regard to budgetary considerations.
19. Be available to attend all meetings required as part of the process and provide appropriate documentation.
20. Allow reasonable time off for employees selected for compulsory redundancy to attend interviews or training, as appropriate, on production of suitable evidence in line with the special leave scheme.
21. Engage with the redeployment process by ensuring that all vacancies arising in the school are first checked with the school redeployment register for potential candidates PRIOR to any external advert.
22. Ensure consultation takes place, as delegated, with the Education SAJC trade union representatives and the school based trade union representatives.
23. Liaise with Financial Services as required throughout the process.
24. Refer to the Headteacher Checklist (appendix 10) for the responsibilities at each stage.

#### HR PEOPLE SERVICES

25. Attend Governing Body meetings as required.
26. Act as advisors to Governing Bodies/ headteachers.
27. Meet headteachers to discuss their establishment and review temporary contracts right at the beginning of the process and to review areas of the curriculum with surplus lessons and potential for redundancies and any wider implications.
28. Provide employees with information and advice as necessary throughout the process
29. Provide a timetable for the redundancy process that ensures all necessary notice periods are met. This will be provided several years in advance depending on publication of agreed school term dates.

30. Liaise with the Education Service/LFM with regard to budgetary considerations.
31. Review this policy and procedure in light of operational experience

#### CLERK TO THE GOVERNORS

32. Arrange all meetings of governors required in line with the policy and where possible liaise with trade union representatives.
33. Keep accurate notes and records to support the use of the policy and provide minutes of Determining Committee and Appeal Committees meetings to employees and their representatives, the headteacher and HR People Services within **3 working days**. The accuracy of the minutes should be agreed with the chair of the relevant committee prior to release. Employees selected for redundancy should also be provided with the appendices relevant to their selection.
34. Issue letters in line with the policy.
35. Refer to Clerks Checklist (appendix 10) for responsibilities at each stage.

## SECTION 2 - POLICY

### PURPOSE

36. The Governing Body may at times find itself having to address issues relating to employee cuts or reorganisation of the school establishment. Employee numbers for each academic year are based on anticipated pupil numbers and the curriculum, management and organisational needs as they relate to the School Improvement Plan.
37. The Council and the Governing Body recognises its duty of care to employees, and it is accepted that such circumstances will be of a serious concern to all, and for this reason, communication with employees and trade unions is vital. Employees will be able to seek advice and guidance from both the headteacher and the Council's HR People Services. Trade union representatives may also offer assistance to their members.
38. This policy is only for use when a school considers it needs to reduce its staffing establishment due to budget pressures. School's wishing to change their staffing structure should follow the 6 Stage Action Plan for Restructures.

### WHO IS COVERED?

39. This policy applies to all employees working in the school. It does not apply to employees that are employed centrally by the Council, i.e. catering, cleaning, grounds maintenance and repairs and buildings maintenance employees to whom a corporate policy applies.
40. In the case of employees working wholly or primarily within schools, but appointed to centrally established posts (in Pupil Support / EMTAS etc.), Council Policies and Procedures will apply. However, the Council is committed to the avoidance of compulsory redundancies, and will ensure that when necessary, school employees will be considered for vacant Education and Lifelong Learning Directorate central establishment posts, subject to the specific requirements of the specialist nature of the post (with a reasonable amount of training) being met.
41. The redeployment aspects of this policy will apply in all cases where redundancies may be necessary, including school reorganisation, federation or school closure.
42. This policy will not apply where a specific funding stream comes to an end and an employee's contract clearly states that they were employed subject to that funding. In these cases the school need to follow the procedure contained within the 'Guidelines on Non Permanent Employment' (CIS reference [5.C.054-Sch](#)).

### KEY PRINCIPLES

43. The school budget is allocated on an annual basis and the Governing Body will compare the budget against the projected needs of the school. The Governing Body will give careful consideration to the advice of the head teacher, and advice offered on behalf of the Director of Education and Lifelong Learning, as well as any advice provided by the Trade Unions.

44. Governors have a requirement to set a balanced budget and so on occasions; this may lead to a revision to the size or structure of the school establishment. In such circumstances the Governing Body may be faced with the possibility of declaring a post or posts surplus to the requirements of the school, and will need to undertake a full and proper consultation process.
45. This policy and procedure will ensure that in such circumstances, the Governing Body will first look at whether it will be possible to reduce employee numbers through natural turnover, or voluntary means. This will include:
- Normal turnover of employees, e.g. resignations, non renewal of temporary contracts of less than 4 years
  - Voluntary transfer of employees into other posts at the school
  - Voluntary transfer to part time working or job post sharing arrangements
  - Voluntary Redeployment to another school, by working in partnership with other Governing Bodies. The Council will assist in any attempts to achieve redeployment.
  - Voluntary Early Retirement/ Redundancy – where posts can be deleted from the school establishment. Employees applying for voluntary redundancy will need to accept that they will be precluded from returning to employment (which includes permanent, temporary, casual and agency) within the City of Cardiff Council (including any Cardiff schools) for a period of 12 months following their termination date
46. The Governing Body, along with the Council, will seek to ensure, as far as possible, the security of employment of school employees. Employees are the most valuable resource to the Education service and the Governing Body is committed to ensuring that employees are not needlessly lost. For this reason, the Governing Body is positively committed to working in partnership with the Council and other Governing Bodies, to ensure the success of any redeployment procedures. This will include the early consideration of potentially redundant employees from other schools for any vacancies the school may have, subject to the specific requirements of the post (with training) being met, **prior to the advertisement** of such vacancies.
47. At all stages of the application of this policy and procedure the Governing Body will ensure that it consults fully with the Education SAJC trade unions which represent all school employees. Contact details will be provided by HR People Services.
48. Where the Governing Body is reviewing the number of employees on temporary contracts, this will include those who have continuous service of less than four years with the school. However, as these employees may have four years or more service with Cardiff Council (including Cardiff's Foundation/ Voluntary Aided schools) then the head teacher should liaise with HR People Services. In order to achieve the required reduction in employees, the non renewal of such contracts will be assumed, subject to compliance with required notice periods. The school will need to follow the procedure contained within the Guidelines on Non Permanent Employment Where more than one employee is employed on a temporary contract, selection will be determined by curriculum need or by a ring-fenced recruitment process. In these circumstances, advice should be sought from HR People Services.

49. When reviewing such temporary or fixed term contracts it is important to remember that under the terms of the Local Government (Modification) Order 1999 employees transferring between local authorities, and other included bodies, retain continuity of service. Therefore, if an employee from another local authority is appointed to a fixed term/ temporary contract, without a break in service, their service will be continuous. As a result, terms and conditions such as sickness, holidays and redundancy payments will be based upon the commencement date with the former authority. This could result in significant redundancy costs at the end of the fixed term/ temporary contract. Any employee on a fixed term or temporary contract with between 2 and 4 years service with Cardiff would be entitled to a statutory redundancy payment. Any continuity of service under the Local Government (Modification) Order 1999 would count towards the statutory payment. It is essential therefore to liaise with HR People Services.
50. Employees contracted on a temporary basis, which have continuous service of four years or more at the school (on the day preceding the implementation of the reduction) will be treated on the same basis as permanent employees in the application of this policy and procedure. Where a temporary employee has been transferred to the school as a result of increased delegation temporary service accrued at the school up to the date of transfer will count towards the temporary service at the school.
51. Employees selected for redundancy has the right to make representations to the Determining Committee and where necessary, the Appeals Committee, and have the right to be accompanied by a trade union representative or a work colleague.
52. Any reference to 'days' in this policy and procedure mean working days from Monday to Friday, and does not include periods of school closure due to holidays.
53. The timescales outlined in the policy and procedure are to ensure that the Governing Body fully consults with employees and the trade unions, and also that the notice periods determined by Conditions of Service and the Statutory provisions are complied with.

## **SECTION 3- PROCEDURE**

### **REDUNDANCY PROCEDURE**

54. Having considered the options described in paragraph 2.9 above, the Governing Body may still be faced with the necessity of declaring a compulsory redundancy situation. In order to effect a reduction in the staffing establishment for the commencement of the new academic year, it will be necessary to conclude the process of selection and issue formal notice of termination to teachers by 31<sup>st</sup> May for termination on 31<sup>st</sup> August. In the case of teachers, if this timescale is not achieved, the redundancy can only take effect from the end of the following autumn term. The Governing Body will need to be aware of the impact on the budget should this situation arise. For support staff their period of notice will range from 4 weeks up to 12 weeks depending on their contract and length of service. However, in order to promote fairness, all support staff will be given a minimum of 12 weeks' notice of redundancy.
55. The declaring of a potential redundancy situation does not mean that a redundancy will actually occur, but unless a declaration is made at the correct time the process cannot be completed in sufficient time to comply with legislative requirements and statutory notice periods.
56. The Governing Body will respond to representations made by the school employees and Education SAJC trade unions and a meeting for that purpose will form part of the process. At this meeting alternative strategies may be agreed, which avoid the need for the redundancy but, failing that, the procedure summarised in Appendix 1 should be followed for selection for redundancy.
57. The redundancy procedure described below will be followed:

#### **Stage 1**

The Finance Committee of the Governing body will meet to consider the school budget and agree proposed expenditure under the budget headings. Where the school budget does not meet the anticipated needs of the school, at a full Governing Body meeting, after considering any other options, they will determine a potential redundancy situation. Arrangements will be made to commence the Redundancy Procedure and determine the timescales for each of the stages. The composition of the required Committees should have already been set at the first Governing Body meeting of the year but if they have not they must now be set by the full Governing Body. The timetable attached as Appendix 1 will be completed and a copy submitted to HR People Services as soon as possible so they can diarise the meetings.

58. The composition of the required Committees should have already been set at the first Governing Body meeting of the year but if they have not they must now be set by the full Governing Body. The timetable attached as Appendix 1 will be completed and a copy submitted to HR People Services as soon as possible so they can diarise the meetings.
59. The process is likely to involve the Determining Committee (Staff Dismissal and Disciplinary Committee), and the Staff Dismissal and Disciplinary Appeals Committee, in a series of meetings over a short timescale, with individual employees and their representatives. Committee

members will need to ensure their availability at those agreed times. HR People Services will provide some options for the timetable, which will ensure that sufficient time is allocated between the stages and that the statutory notice provisions, are observed. The option selected must be notified to HR People Services so they are able to ensure availability to attend the meetings to provide advice.

60. Support will be offered to the Committees by HR People Services and they will be provided with a named contact at the beginning of the process.

## Stage 2

61. Where possible, immediately following the Governing Body meeting at Stage 1, the Chair of Governors, and the head teacher will meet employees to advise of the situation, explain the reasons behind it, the procedure to be followed and timescale involved and issue them with Appendix 1. **(This meeting is part of the formal redundancy process. However, it is recommended that head teachers meet with employees on an informal basis where they become aware that the school may be facing a potential budget difficulty.)** Employees will be informed that the Governing Body will consider whether it will be possible to achieve the required reduction through natural turnover, or voluntary means, and will be provided with details of the opportunities available. It is important that employees understand the timescales involved, so that where possible, any requests for voluntary changes can be considered prior to the selection of an employee. Employees will be provided with the contact details of an officer of HR People Services, who will provide support in the consideration of options. Employees will be advised that the trade unions will be fully consulted.
62. Following this meeting, employees will be formally notified of the potential redundancy situation (Letter 1). The Education SAJC Trades Unions will be sent Letter 2, along with the appropriate enclosures. All will be advised of the deadline for the submission of representations, and the trade unions will be invited to meet with the Governing Body, (Stage 3). Employees and trade unions will have **10 working days** to respond.
63. In the letters to employees and Education SAJC trade unions they will be provided with a deadline for the submission of representations to the Governing Body. In determining this date, the Governing Body will consider if it is able to build in capacity to respond to any requests from the trade unions for further information.

## Stage 3

64. The Governing Body will meet to consider the written representations made by the Education SAJC trade unions or employees. If the trade unions attend the meeting there will be an opportunity for all present to explore any alternatives suggested.

Once the trade unions have left the meeting, the Governing Body will consider the representations in more detail and determine whether to proceed with the redundancy, or decide that other ways of achieving the reduction can be found. Letter 3 will be issued.

65. At this meeting the Governing Body should be advised of any requests for voluntary redundancy. The Governing Body may decide to consider the requests at this meeting or delegate the decision to the Determining Committee, however it is sensible for the full governing body to consider them where possible. The headteacher should provide a rationale in the case of each request for voluntary redundancy clearly outlining why the request should or should not be accepted and the implications for teaching and learning. Where there are more volunteers than the school can agree to release under voluntary redundancy then the selection must be made by the Determining Committee. Letter 4 is issued to employees with the outcome of their request for voluntary redundancy.
66. Where the Governing Body no longer needs to proceed down the route of compulsory redundancy then Letter 3 will be issued to SAJC Trades Union/ Professional Association members to confirm this.

#### **Stage 4**

67. Where the Determining Committee makes a decision on requests for voluntary redundancy they will be responsible for issuing letter 4 to employees whose request for voluntary redundancy is approved/not approved.
68. The Determining Committee will meet to determine the category of employees and then select an employee or employees for termination of employment on the grounds of redundancy. This meeting might immediately follow the Governing Body meeting held at Stage 3, provided the headteacher has been able to provide information to assist with the selection process.
69. It is vital that the Determining Committee has available all appropriate information to assist with the selection process, and to ensure that any decision reached has a minimal impact on the delivery of the curriculum and pupils of the school.
70. As far as is possible, the identity of individual employees will be protected. Names or initials will not be used during the selection process. The headteacher will provide HR People Services with a list of indicators and relevant names.
71. In Secondary Schools, the headteacher will provide details of the anticipated teaching time and curriculum demands for each department, alongside the total sessions available based on existing staffing levels within the school. They will also need to indicate where there have been volunteers and how this will impact upon anticipated demand
72. In all schools, the headteacher will provide a short summary report on the distribution of employees in the school and the impact a redundancy in each of the categories of employees and details of the curriculum details and leadership/ management responsibilities of employees by completing the table attached as Appendix 3a, b or c. This will be submitted to the Determining Committee.
73. The headteacher will be invited to attend the first part of the meeting of the Determining Committee to give an explanation of the information submitted. The views of the headteacher on individual employees will not be sought. There is an expectation that the headteacher will

remain on site for the duration of the meeting in case they are needed to respond to any points for clarity.

74. Representatives of the Director of Education and Lifelong Learning may be invited to attend the meeting to provide professional advice and guidance to the Determining Committee - this role would normally be undertaken by HR People Services attending the meeting.
75. The Determining Committee will complete a Selection Grid, Appendix 4a, b or c, using the information provided by the headteacher in Appendix 3a, b or c. Notes of Guidance for the Determining Committee are attached as Appendix 5.
76. Once the selection has taken place, the decision will be notified to the headteacher and arrangements for the communication to the employee or employees nominated for redundancy will be agreed.
77. Letters 5 and 6 will be issued. Arrangements will be confirmed for the nominated employee or employees, and their trade union representative, to meet with the Determining Committee.

#### **Stage 5**

78. The Determining Committee will meet to consider any representations made by the nominated employee or employees. Either the representations will be accepted, in which case, the Determining Committee will have to ask the person to leave so that they can follow the selection process again, or, the original decision will be confirmed, and Letter 7a/7b issued. In the case of the former, the Determining Committee will seek the advice of HR People Services.
79. Letter 7a/7b will advise the employee of the right of appeal, and confirm the timescale for the Appeal Process. Where an employee appeals they must provide in their letter of appeal the grounds of their appeal.
80. The Chair of the Determining Committee must draft letter 7a/7b at the end of the Determining Committee with the Clerk to the Governing Body in private, in order to document the reasons that the Determining Committee made their decision.

#### **Stage 6**

81. The Appeal Committee will meet to hear any appeal against the decision of the Determining Committee. The selected employee or employees can attend the meeting, along with their trade union representative or work colleague. The Chair of the Determining Committee should attend to explain the process followed by that committee.
82. Following this, the Appeals Committee will review the documentation used and completed by the Determining Committee, and either confirm the original decision or overturn it (Letter 8a/8b), in which case a further meeting of the Governing Body will be required to commence a new procedure. The Chair of the Determining Appeals Committee must draft letter 8a/8b at the

end of the hearing with the Clerk to the Governing Body in private, in order to document the reasons that the Determining Appeals Committee made their decision.

83. Representatives of the Director of Education may be invited to attend the meeting to provide professional advice and guidance to the Appeals Committee - this role would normally be undertaken by HR People Services attending the meeting.
84. Letter 9 will be sent to the Director of Education to advise of the conclusion of the process, and request that the formal notice is given to the selected employee or employees. This final notice of redundancy will be issued by the Director of Education through HR People Services, ensuring compliance with notice periods. In the case of foundation and voluntary aided schools, as the Governing Body in these schools is the employer, formal notice of dismissal is contained within letter 8b.
85. HR People Services will make arrangements to meet with the selected employee or employees to discuss the options available, and prepare for redeployment opportunities.

#### **REDEPLOYMENT PROCEDURE (See Appendix 6 and 7 for more detailed guidance)**

86. Employees who have volunteered for redeployment, or have been selected for redundancy will be required to submit an up to date application form and preference form to HR People Services and a summary of information will be placed on the Cardiff Schools Redeployment Register.
87. Redeployment forms a core part of the Redeployment and Redundancy Policy. Full guidance on the procedure is set out in Appendices 6 and 7 of this Policy.

#### **SECTION 4- RELATED DOCUMENTS**

<b>Reference:</b>	<b>Document Name</b>
<u>1.CM.082-Sch-E</u>	School Redeployment/ Redundancy - Letters
5.C.054-Sch	Guidelines On Non Permanent Employment
1.CM.041-Sch	Recruitment and Selection Policy and Procedure

**REDUNDANCY STAGES**

Name of School: .....

STAGE	ACTION	DATE & TIME
<b>STAGE 1</b>	<p>Governing Body meet to consider the school budget and determine potential redundancy situation. Decision taken to commence redundancy procedure, and agree timescale for each of the stages. A copy of the timescale will be submitted to HR People Services.</p> <p><b>NO DISCUSSION SHOULD TAKE PLACE REGARDING THE CATEGORY OF STAFF TO BE AFFECTED OR ABOUT INDIVIDUAL EMPLOYEES</b></p>	
<b>STAGE 2</b>	<p>Headteacher/Chair of Governors meet staff to advise on situation, process involved and timescales. Inform staff that Education SAJC Trade Unions will be notified, and letters will be sent out to all parties. Issue staff with a copy of this Appendix 1 with dates completed. Issue staff with Appendices 2a/2b for completion.</p> <p>Letter issued to employees to formally notify them of the potential redundancy situation (Letter 1). Education SAJC Trade Unions are sent Letter 2, which includes the deadline for representations, together with an invitation to meet with the Governing Body (Stage 3). <b>(10 working days</b> to respond to letter).</p> <p>Deadline for responses from Trade Unions. Where possible, the Governing Body may wish to allow time before Stage 5 to respond to any requests for further information from the Trade Unions. If this is the case, the timetable should take account of this.</p>	
<b>STAGE 3</b>	<p>The Governing Body meet to consider the representations made by the Trade Unions. The Trade Unions may attend to make any verbal representations. Following this, the Governing Body will determine whether to proceed with redundancy and finalise date for selection <u>or</u> decide that other ways of achieving a reduction can be found. Letter 3 issued.</p> <p>If full GB considers voluntary redundancies then they issue Letter 4 to employee and Letter 3 to Education SAJC trade unions if voluntary redundancies agreed means no compulsory selection</p>	
<b>STAGE 4</b>	<p>This meeting may follow on immediately after the Stage 3 meeting if the headteacher has been able to collate all relevant information.</p>	

	<p>The Determining Committee meets and selects for dismissal on the grounds of redundancy. Close attention will be paid to the selection criteria. The headteacher will submit information for the consideration of the Determining Committee, and may attend to give an explanation of the information. However, the headteacher is not entitled to be present during the selection. HR People Services should be present.</p> <p>Letters 5 and 6 to be issued. (NB selected individuals to be given <b>7 working days</b> to make representation).</p> <p>If Determining Committee considers voluntary redundancy then they issue Letter 3 to employee</p>	
<b>STAGE 5</b>	<p>Determining Committee hears any representations from selected individuals and either accepts representation or confirms the original decision. HR People Services should be present. If the original decision is confirmed Letter 7 is issued the day after this meeting. Date of Appeals Committee provisionally arranged for a date within <b>7 working days</b>. If the original decision is overturned, the employee(s) and Trade Union Representative will be advised. A new selection process will then be undertaken and the new employee(s) selected will need to be informed and given a date for a representations meeting (using the original Stage 6 date if possible). In some cases, depending on the nature of the representations made by the Trade Unions, the matter may be referred back to a meeting of the Governing Body.</p>	
<b>STAGE 6</b>	<p>The Appeals Committee hears any appeal against the decision of the Determining Committee. HR People Services should be present. The Appeals Committee will either confirm the original decision or overturns it (Letter 8) in which case a further meeting of the Governors would be required to commence new procedures.</p>	
	<p>A final notice of redundancy is issued by the Director of Education and Lifelong Learning** by 31<sup>st</sup> May through HR People Services.</p> <p>**In the case of foundation/ voluntary aided schools, the notice will be issued by the Governing Body.</p>	

**NOTE**

**Where an appeal against the decision of the Determining Committee is successful, the Governing Body will need to undertake another process of selection. In determining the dates for each of the above stages, Governors should refer to the timetable options provided by HR People Services. Please note in the case of teachers this may not allow for a selection which will result in termination of employment for 31 August.**

**INDIVIDUAL STAFF PRO FORMA – SUPPORT STAFF**

**Reference Number**  (completed by head teacher)

Specify lead role undertaken if applicable

Indicate if delivering specialist subject/ undertaking specialist role not able to be delivered by other staff and where the /specialist role still forms part of the delivery of the curriculum in the school. Employees are only required to provide information only on the **specialist** role they carry out –a list of all duties/ training is not required.

:

Date employment at the school commenced: \_\_\_\_\_

Signed by employee: \_\_\_\_\_ Date: \_\_\_\_\_

Signed by headteacher: \_\_\_\_\_ Date: \_\_\_\_\_

Points Awarded as follows:

- 1 point for undertaking a lead/ management role
- 1 point if delivering in specialist area not able to be delivered by other staff, where the specialist role still forms part of the delivery of the curriculum/ service required in the school.

**INDIVIDUAL PRO FORMA – SECONDARY SCHOOL TEACHERS**

**Reference Number**  (completed by headteacher)

Main Subject: (currently taught)	
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Indicate additional subjects taught - must be demonstrated by experience of 1 year or more and have been taught in the last 5 years

Subjects	
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**Management**

Leadership scale  TLR1  TLR2

Lead Practitioner  SENCO/ALNCO

Date employment at the school commenced: \_\_\_\_\_

Signed by employee: \_\_\_\_\_ Date: \_\_\_\_\_

Signed by headteacher: \_\_\_\_\_ Date: \_\_\_\_\_

Points are awarded as follows:

Teachers – All Sectors	Points
Leadership	5
Lead Practitioner	3
TLR1	3
TLR2	2
2 points for SENCO/ALNCO	2
Additional subject (secondary)*	1

\*One additional point for the ability to teach a subject in addition to main subject, evidenced by a formal qualification in this subject to having taught the subject for a at least 1 years in the last 5 years. if the employee has taught a subject required by the school curriculum (and where the school has a teaching deficit in this area), evidenced by the employee having taught this subject for at least 1 year in the previous 5 years.

**INDIVIDUAL PRO FORMA – PRIMARY SCHOOL TEACHERS**

**Reference Number**  (completed by head teacher)

**Management**

Leadership scale  TLR1  TLR2  
 Lead Practitioner  SENCO/ALNCO

Specify lead roles undertaken if applicable:

Area of Responsibility	TLR paid for role (Y/N)

Indicate if delivering specialist subject/ undertaking specialist role not able to be delivered by other employees

Date employment at the school commenced: \_\_\_\_\_

Signed by employee: \_\_\_\_\_ Date: \_\_\_\_\_

Signed by headteacher: \_\_\_\_\_ Date: \_\_\_\_\_

Points are awarded as follows:

Teachers – All Sectors	Points
Leadership	5
Lead Practitioner	3
TLR1	3
TLR2	2
2 points for SENCO/ALNCO	2

**SUMMARY OF SUPPORT STAFF INFORMATION**

School:	Team (if relevant):
---------	---------------------

Staff Indicator	Lead/ Mgt Role	Specialist Subject	Start Date at School
1			
2			
3			
4			
5			
6			
7			
8			
9			
10			

Completed by: \_\_\_\_\_ Signed: \_\_\_\_\_  
 Date: \_\_\_\_\_

**SUMMARY OF TEACHER INFORMATION - PRIMARY**School: 

Staff Indicator	TLR/ Leadership Scale/SENCO	Start Date at School
1		
2		
3		
4		
5		
6		
7		
8		
9		
10		

Completed by: \_\_\_\_\_ Signed: \_\_\_\_\_

Date: \_\_\_\_\_

**SUMMARY OF TEACHER INFORMATION - SECONDARY**School: 

Staff Indicator	TLR/ Leadership Scale	Main Subject (Current)	Additional Subject(s)*	Start Date at School
1				
2				
3				
4				
5				
6				
7				
8				
9				
10				

\* Only put information here where the subject has been taught for at least 1 year in the previous 5 years or the employee has a formal qualification in the subject the employee has taught a subject required by the school curriculum (and where the school has a teaching deficit in this area) evidenced by the employee having taught this subject for at least 1 year in the previous 5 years.

Completed by: \_\_\_\_\_ Signed: \_\_\_\_\_

Date: \_\_\_\_\_

**ASSESSMENT OF SUPPORT STAFF BY DETERMINING COMMITTEE**

School:	Team (if relevant):
---------	---------------------

Staff Indicator	Lead/ Mgt Role	Specialist Subject	Total Score	Start Date at School
1				
2				
3				
4				
5				
6				
7				
8				
9				
10				

Staff Indicator(s) Selected: \_\_\_\_\_

Chair of Committee: \_\_\_\_\_ Signed: \_\_\_\_\_

Date: \_\_\_\_\_

Names of Persons Present:

\_\_\_\_\_

**ASSESSMENT OF TEACHERS (PRIMARY) BY DETERMINING COMMITTEE**School: 

Staff Indicator	TLR/ SENCO/ALNCO/ Lead Practioner/ Leadership Scale	Total Score	Start Date at School
1			
2			
3			
4			
5			
6			
7			
8			
9			
10			

Staff Indicator(s) Selected: \_\_\_\_\_

Chair of Committee: \_\_\_\_\_ Signed: \_\_\_\_\_

Date: \_\_\_\_\_

Names of Persons Present:  
\_\_\_\_\_

**ASSESSMENT OF TEACHERS (SECONDARY) BY DETERMINING COMMITTEE**

School:	Dept:
---------	-------

Staff Indicator	TLR/ SENCO/ALNCO/ Lead Practitioner/Leadership Scale	Additional Subject(s)	Total Score	Start Date at School
1				
2				
3				
4				
5				
6				
7				
8				
9				
10				

Staff Indicator(s) Selected: \_\_\_\_\_

Chair of Committee: \_\_\_\_\_ Signed: \_\_\_\_\_

Date: \_\_\_\_\_

Names of Persons Present:  
\_\_\_\_\_

## Redundancy Procedure Guidance

### STAGE 3 – FULL GOVERNING BODY MEETING

1. The full Governing Body will meet to consider the written representations made by trade unions or employees. They will need to decide whether or not to accept the representations made and thus whether the school is still in a redundancy situation. If they decide the school is still in a redundancy situation, then the head teacher will provide information about any requests for voluntary redundancy. Where there have been no requests then they agree to proceed to Stage 4 of the redundancy procedure.
2. Where there are requests for voluntary redundancy and it is clear that based on information provided by the headteacher (on curriculum needs and staffing levels) the requests can or cannot be agreed then the full Governing Body may choose to make this decision or delegate it to the Determining Committee.
3. Where there are requests for voluntary redundancy and it is clear that based on information provided by the headteacher (on curriculum needs and staffing levels) that the number of requests exceeds the number of posts that the school can lose then the decision on which requests are agreed/ not agreed would be made by the Determining Committee at the Stage 4 meeting. Note: Any decision to agree a request for Voluntary Redundancy is subject to the submission of a Business Case to the Council and formal sign off by the parties concerned.

### STAGE 4 - DETERMINING COMMITTEE MEETING

4. The role of the Determining Committee is to identify, on behalf of the Governing Body, an employee/ employees to be selected for redundancy.
5. Prior to any meetings, the Determining Committee members should familiarise themselves with the Redeployment/ Redundancy Policy and Procedure.
6. The Determining Committee should identify a Governor who will undertake the role of chair and sign all appropriate correspondence.
7. The Determining Committee should request the attendance of an officer from HR People Services at its meeting to provide advice and guidance. A representative of the Director of Education and Lifelong Learning (**and in VA schools the relevant Diocesan Authority**) may also be invited to attend.
8. The headteacher will undertake an assessment of employees and submit this to the Determining Committee to assist in the selection process using Appendix 3a, b or c which will have been collated using Appendix 2a/b/c. So far as is possible, the identity of employees will be protected, i.e. numbers will be used rather than names (1, 2, 3 etc and not employee numbers) and employees should not be listed in alphabetical order.

The headteacher will provide on a confidential basis a list of numbers and corresponding names to the HR People Services representative. This information will only be referred to at the end of the selection process to inform the Determining committee of the name of the employee who has been selected for redundancy.

9. The headteacher will attend the Determining Committee to give an explanation of the information submitted. The Determining Committee will not seek the views of the head teacher on any employee. The headteacher is not entitled to be present when the Determining Committee undertakes the selection process.
10. Based on the information made available, the Determining Committee will undertake the process of selection by completing the Selection Grid (Appendix 4a/b/c), having regard to the following:

### **Teachers - Primary Schools**

<b>Teachers – All Sectors</b>	<b>Points</b>
Leadership	5
Lead Practitioner	3
TLR1	3
TLR2	2
2 points for SENCO/ALNCO	2

### **Teachers - Secondary Schools**

**STEP ONE** – From the details provided by the head teacher on the anticipated curriculum demands alongside total sessions available within the school (which will also indicate where there have been volunteers and how this will impact upon anticipated demand) the Determining Committee will identify the curriculum area where there is an excess of employees compared to required number needed and thus identify the department that needs to lose staffing. The head teacher may wish to prepare this information in liaison with their link Challenge Adviser. Then the employees in this department will be assessed as per STEP TWO.

### **STEP TWO**

<b>Teachers – All Sectors</b>	<b>Points</b>
Leadership	5
Lead Practitioner	3
TLR1	3
TLR2	2
2 points for SENCO/ALNCO	2
Additional subject (secondary)*	1

\*One additional point if the employee has taught a subject for at least 1 year in the previous 5 years or has a formal qualification in this subject.

### **Support Staff – Primary and Secondary Schools**

**STEP ONE** – From the details provided by the head teacher on the workload demands in the different employee groups the Determining Committee will identify the area where there is an excess of employees compared to required number needed and thus identify the area of support staff that needs to lose staffing. Then the employees in this department will be assessed as per STEP TWO.

#### **STEP TWO**

- **Leadership/ Management/ Curriculum**  
1 point for undertaking a lead/ management role
- 1 point if delivering in specialist area not able to be delivered by other staff, where the specialist role still forms part of the delivery of the curriculum/service in the school.

### **General**

11. Once the Grid has been completed, it should be apparent to the Determining Committee which staff indicator has the lowest score on the grid and the employee linked to this indicator will be selected for redundancy. However, this is subject to the curriculum needs of the school.
12. Where there is more than one staff indicator with the lowest score, the staff indicator will be selected by the Determining Committee by looking at the date their employment with the school commenced. The staff indicator showing the least amount of service at the school will be the one selected. Should employees have the same start date then the employee who has the lowest redundancy cost will be selected.
13. The Determining Committee must satisfy themselves that they have completed the selection process without bias.
14. The headteacher will be called back into the meeting to be informed of the reference number selected and if they provide information that is clear and objective regarding significant implications on the ability of the school to properly deliver the curriculum without the selected employee then the head teacher will leave the meeting for the Determining Committee to decide if the reference number with the next lowest score should be selected

15. The Determining Committee are responsible for informing the selected employee of the decision reached in writing. However, the headteacher would normally gather information from employees before hand about the method of notification and may be the person who contacts the employee verbally on behalf of the Determining Committee.

#### **STAGE 5 - REPRESENTATIONS MEETING**

16. Following selection, the Determining Committee will meet to consider any representations from the employee(s) and will either accept the representations or confirm the original decision. Selected individuals are to be given 7 working days from being given decision to the date of the representations meeting.
17. The Determining Committee should request the attendance of an officer from HR People Services at its representations meeting to provide advice and guidance. A representative of the Director of Education and Lifelong Learning (***and in VA schools the relevant Diocesan Authority***) may also be invited to attend.
18. The headteacher would attend the meeting to answer any questions that may arise in the presence of the employee (and their representative).
19. At the representations meeting there will be an opportunity for both parties to present information and the format of the meeting will be as follows:
  - a. Employee (or their representative) will make their representations as to why they feel they should not have been selected.
  - b. Determining Committee will have the opportunity to question the employee.
  - c. Chair of Determining Committee will outline the process followed in selecting the employee.
  - d. Employee (or their representative) will have the opportunity to question the Chair of Determining Committee
  - e. Head teacher may be asked questions by either the employee (or their representative) or the Determining Committee.
  - f. Employee and headteacher will withdraw while Determining Committee considers the information and reach a decision.
  - g. Employee and headteacher recalled to be given decision. If decision is to confirm the original decision the employee will be advised of their right of appeal.
  - h. If decision is to accept the representations the employee and headteacher will be asked to withdraw and the Determining Committee will need to reselect an employee for redundancy.
  - i. New employee selected will need to be informed and given a date for a representations meeting.

## **STAGE 6 - APPEALS MEETING**

20. The Appeal Committee should ensure that it also is familiar with the redundancy process. At appeal stage, full consideration must be given to the basis for the appeal and a review of the documentation (provided on the day) should take place.
21. The Appeal Committee should request the attendance of an officer of HR People Services at its meeting to provide advice and guidance. A representative of the Director of Education and Lifelong Learning (***and in VA schools the relevant Diocesan Authority***) may also be invited to attend.
22. The headteacher would attend the meeting to answer any questions that may arise in the presence of the employee (and their representative).
23. At the appeal meeting there will be an opportunity for both parties to present information and the format of the meeting will be as follows:
  - a. Employee (or their representative) will present information regarding their appeal.
  - b. Appeal Committee and Chair of Determining Committee will have the opportunity to question the employee.
  - c. Chair of Determining Committee will outline the process followed in selecting the employee.
  - d. Appeal Committee and employee (or their representative) will have the opportunity to question the Chair of Determining Committee
  - e. Headteacher may be asked questions by either the employee (or their representative) or the Appeals Committee
  - f. Employee, headteacher and Chair of Determining Committee will withdraw while Appeal Committee considers the information and reach a decision.
  - g. Employee, headteacher and Chair of Determining Committee recalled to be given decision. If decision is to confirm the original decision the employee will be advised that they have no further right of appeal.
  - h. If decision is to accept the appeal the Determining Committee will need to be reconvened and the process repeated.

## **DOCUMENTATION**

24. In the event of a claim to an Employment Tribunal, all documentation used throughout the process would need to be disclosed and therefore it is essential that accurate records are maintained.

## Redeployment Procedure Guidance

### Introduction

1. Redeployment is a process which facilitates the continued employment of qualified, experienced, and committed employees and capitalises on the investment in terms of support, development and training provided by governing bodies and the Council. This process should only be used where redeployment is appropriate for employees affected by redundancy or school restructures
2. This guidance should be read in association with the Redeployment and Redundancy Policy and Procedure.

### The Redeployment “Pool”

3. The “pool” will comprise employees who have volunteered for redeployment, employees who are working in schools that have been nominated for closure, or employees who have been selected for redundancy, all herein referred to as “redeployees”. Only employees with four or more years, continuous service with Cardiff Council will be able to access the pool.
4. Redeployees will be offered support from HR People Services to discuss career options and discuss types of posts for which they may be interested.
5. Redeployees need to provide up to date information by completing a Generic Application form and preference form.

### The Role of HR People Services

6. HR People Services is as follows:
  - To facilitate the redeployment process, whilst acknowledging that legislation prevents the Council from directly placing staff into school positions and schools can make their own appointment decisions,
  - to support redeployees during this period,
  - to act as a key liaison with headteachers,
  - to undertake the organisation, management and administration associated with the redeployment pool,
  - to work with the Education Directorate to promote the redeployment process

### The Role of the Redeployee

7. The redeployee’s role is as follows:
  - to commit to contact/meetings with HR People Services

- to complete the application form and staff preference form promptly
- to proactively look for opportunities
- to seek employment through separate recruitment processes
- to attend interviews by arrangement for suitable positions– where a redeployee unreasonably refuses to meet a headteacher that has a vacant post this may affect their entitlement to a redundancy payment.

### **The Role of Governing Bodies and Headteachers**

8. The role of the governing body and the headteacher is as follows:

- to fully engage with and commit to the policy and procedure
- to give fair consideration to redeployees
- to provide clear reasons why an individual is not considered suitable and provide constructive feedback,
- schools that are losing employees should ensure redeployees have the time and support to attend for interviews and meetings with their Trade Union Representatives. Meetings with Trade Union Representatives should be arranged before or after school, during lunchtime or during PPA time wherever possible.
- to support any current members of staff who are within the redeployment pool such as by mock interviews, coaching, where appropriate.

### **The Role of the Education and Lifelong Learning Directorate**

9. The role of the Education and Lifelong Learning Directorate is as follows:

- to promote the redeployment process amongst schools,
- on receipt of report from HR People Services to monitor the effectiveness of the redeployment policy

### **The Process (See Appendix 7 for Flowchart)**

10. When a potential redeployee is identified, HR People Services will contact the individual to discuss their eligibility to be included within the redeployment pool and to provide them with information regarding the process. Initial contact will be made with the redeployee by telephone where possible, with the following documentation either emailed to the redeployee or sent via post to the individual's home address:

- Letter 1,
- Generic Application Form,
- Staff Preference form
- Redeployment Flowchart (Appendix 7)

Where requested, HR People Services will be available to meet with individuals on an individual basis to discuss their options and provide further support at appropriate.

11. Redeployees are expected to email their completed application form and preference form to HR People Services within 10 working days of receiving the documentation. Assistance will be offered to redeployees who do not have access to email facilities at home. Only once this information has been received, HR People Services will add the redeployee's details to the pool using a spreadsheet. This will record qualifications, skills, experience and preferences and log all redeployment actions.
12. Schools are expected to notify HR People Services of a vacancy they have, before advertising the position and leaving sufficient time to allow for any redeployees to be given prior consideration before moving to advert. Schools should contract HR People Services with the details of any vacancy by sending the job description, person specification and advert to [SOPRedeployment@cardiff.gov.uk](mailto:SOPRedeployment@cardiff.gov.uk). HR People Services will then undertake a search of the pool to identify a potential match with redeployees. The post will be notified to relevant redeployees on the register and they will have 48 hours to express an interest in the post.
13. To identify a potential match HR People Services will compare the information contained in the Job Description and the Person Specification against the qualifications, skills, experience and preferences of the redeployees on the basis of it being the same grade or a lesser grade post.
14. If no potentially appropriate match is identified, the headteacher will be informed by HR People Services that the school can proceed to advertise the post.
15. In the event of one or more redeployees being identified as a potential match and expressions of interest confirmed by the redeployees, HR People Services will contact the headteacher and email the relevant generic application form(s).
16. It is expected that the headteacher will be given delegated authority by the governing body to give prior consideration to a redeployee and they will make arrangements to meet the individual as per the school's delegated recruitment process. Prior consideration means that the school can ask the redeployee to undertake any normal selection process, such as interview, lesson observation, written task, without any external competition. Therefore a post must be offered to the redeployee if at the end of the selection process the school is satisfied that they are able meet the essential criteria of the person specification. If on receipt of the generic application form the headteacher considers that the redeployee does not meet the essential criteria, they must inform HR People Services of the reasons and provide feedback on Form A. Should there be a possibility that re-training could equip the redeployee with the necessary skills to meet the criteria then this must be fully considered.
17. The redeployee is expected to demonstrate that they meet the criteria for the job at interview. The selection process provides an opportunity for the redeployee to find out further information about the school and the post. For this reason a selection process should be structured against the Person Specification, with opportunities for questions on both sides. The headteacher may involve another member of the management team and in some schools, depending on the extent to which governors have delegated

responsibilities to the head teacher, it may be necessary to include governors. It is good practice to inform the redeployee of these arrangements and any selection procedures such as teacher observation ahead of time.

18. The school should liaise with the redeployee directly regarding the arrangements for interview.
19. If the redeployee does not express an interest in the post, the school can proceed with the advertisement. Where a redeployee unreasonably refuses to put themselves forward for a vacant post their entitlement to a redundancy payment may be affected.
20. It is acknowledged that there may be times when schools are unable to allow sufficient time to consider redeployees under the prior consideration route, for example where a school is wishing to recruit a teacher to commence work in September and are conscious of the deadline that a serving teacher would need to give notice by. In these types of exceptional circumstances, it would be acceptable for schools to proceed directly to external advertisement, as long as they guarantee interviews to any redeployees who evidence that they meet the essential criteria person specification. This would be irrespective of the strength of field from any external applicants and regardless of whether any desirable criteria of the specification are met. In these circumstances it may be that the redeployee chooses to tailor their application form to the particular post, but must do so within the timeframe of the vacancy advertisement. In order to recognise the applicant as a redeployee, HR People Services should submit the redeployee's application (tailored or generic) to the school in order to confirm the individual's entitlement to be within the redeployment pool.
21. Following a successful recruitment process, the school should request references as normal and so a conditional offer should be made to the redeployee by the school. Where no appointment is made, or where more than one redeployee is interviewed, feedback and reasons must be provided again on **Form A**. These reasons need to be objective and based on the criteria in the Person Specification.
22. Feedback is normal good practice in any appointment procedure. Unsuccessful redeployees will still be entitled to apply for posts when advertised through normal recruitment and selection procedures.
29. Where a redeployee is unsuccessful they have 24 hours from receipt of the decision to lodge an appeal and they must do this in writing to the Chair of Governors outlining the reasons for their appeal. The Chair of Governors will allocate a governor who has not been involved in the recruitment process to investigate the appeal.
23. If a redeployee refuses to accept an offer of appointment their stated reasons will be recorded by the Council.
24. The availability of options for redeployees will depend on the flexibility of the redeployee, in particular with regard to grade of post. Transport may be a key

consideration in some cases. It will not be acceptable for redeployees to refuse to attend for interview for posts that are considered potentially suitable, purely on the basis of the location/social context of the school within the city unless there are demonstrable difficulties such as transport.

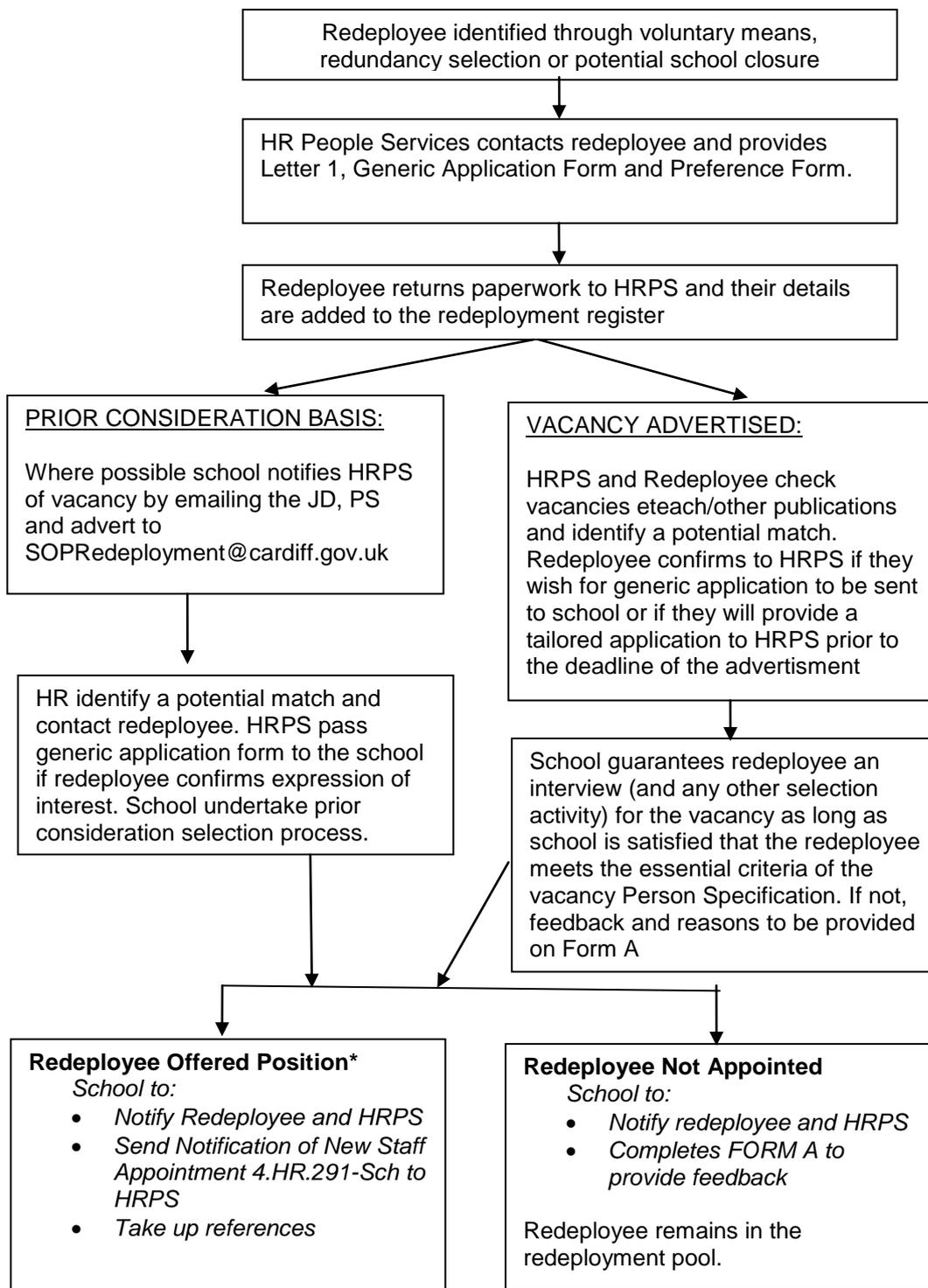
25. Due to the nature of this redeployment exercise redeployees who are considered suitable for a post and are offered appointment are expected to accept. It will not be allowable for redeployees to withhold acceptance in case other opportunities may arise.
26. Entitlements to redundancy will be affected where a redeployee unreasonable refuses a formal offer of redeployment. They will not be entitled to a redundancy payment on the basis that they have been offered suitable alternative employment and have unreasonably turned it down.

### **Safeguarded Salaries**

27. In the event of redeployment to a lower grade, redeployees who are teachers will be safeguarded for a period of up to 3 years (due to their national terms and conditions) and the Council will fund the difference between the grade of the post and the safeguarded salary. Where safeguarded salaries are in place, the redeployee should be allocated duties commensurate with their safeguarded grade. If these responsibilities are over and above the structure agreed by the governing body the salary protection will continue to be funded by the authority for 3 years. At the end of that period the redeployee's salary will revert to the actual grade of the post and any increased responsibilities should cease. If during the period of safeguarding the redeployee is appointed to a promoted post within the agreed structure for the school which is equal to or above their safeguarded grade the entitlement to safeguarding will cease. The actual value of the protection the council would meet will be a combination of the actual additional costs of threshold pay above M6, as it does for all teachers in schools, plus the difference between the average teacher allocation used within the formula budget allocation for the financial year and the teacher's actual salary point.
28. Redeployees are unable to apply for any higher graded post via the redeployment process, but are able to apply for the post directly when it proceeds to external advertisement.

## Appendix 7

### SCHOOL REDEPLOYMENT FLOWCHART



\* It must be noted that unreasonable refusal of an offer of appointment will mean that the employee will not be eligible for a redundancy payment and their employment will terminate at the end of their notice period without a redundancy payment

## Redundancy Payments

The amount of redundancy pay you might get will depend on your age and length of continuous service, as recognised within the Redundancy Compensation Orders. The current rates for redundancy pay are as follows, however these are subject to review:

### ***All Schools Based Employees - In Line with Corporate Scheme***

#### **Permanent employees – Voluntary and Compulsory Redundancy**

- Up to 45 weeks at the statutory rate of a week's pay (the statutory value of a week's pay is reviewed annually in April) or actual weekly salary, whichever is the lesser. The calculation is based on your age and your length of Local Government Continuous Service.
- Access to non-actuarial reduced pension (LGPS or Teachers Pension) if aged 55 or over on the date the redundancy takes effect.
- Access to the redeployment pool (compulsory redundancy only).

#### **Temporary employees**

- Temporary employees with more than two years' service are entitled to a redundancy payment. Please see the table below to illustrate how this will be paid.
- Any reference to a statutory redundancy payment means a payment of up to 30 weeks at the statutory rate of a week's pay, or actual weekly salary, whichever is the lesser. The calculation is based on your age and your length of Local Government Continuous Service.
- This section should be read in conjunction with School Guideline on Non-Permanent Employment

<b>Service History</b>	<b>Redundancy Entitlement</b>
Less than 2 years continuous service	No redundancy payment
Between 2 and 4 years continuous service with Cardiff Council	Statutory redundancy payment
More than 4 years' service with Cardiff Council (not necessarily in the same school)	Enhanced redundancy payment as well as access to the redeployment and non-actuarially reduced pension if 55 or over on the date that the redundancy takes effect.
Between 2 and 4 years' service with Cardiff Council but will additional service Local Government continuous service.	Statutory payment based on whole period of continuous Local Government Service. No access to pension or redeployment.

<b>Example:</b> 2 years with Cardiff Council and 8 years with Swansea Council without any break in service	Statutory redundancy payment but based on 10 years continuous service. No access to redeployment or pension.

**HEADTEACHER CHECKLIST**

<b><u>ACTION</u></b>	<b><u>DATE AND TIME</u></b>
<p><b>PRIOR TO STAGE 1</b></p> <p>Meet with LFM and HR People Services to consider budget and review temporary contracts and establishment. Liaise with LFM/HR as required throughout the process.</p> <p>Meet with the Finance Committee to consider budget and agreed expenditure.</p> <p>Where it is anticipated that the school will be in a budget deficit the headteacher may informally inform employees of this.</p> <p>Prepare the following information:</p> <ul style="list-style-type: none"> <li>• Budget information to include current, previous and following financial year.</li> <li>• School improvement plan.</li> <li>• Number on roll for the last 3 years and projected for the following year.</li> <li>• Employee establishment (no names) including approved structures.</li> <li>• Secondary schools –curriculum analysis indicating areas of surplus and any relevant information.</li> </ul>	
<p><b>STAGE 1</b></p> <p>Attend Governing Body Meeting provide update on the financial situation and any relevant information.</p> <p>Complete appendix 1.</p>	
<p><b>STAGE 2</b></p> <p>Following Governing Body meeting meet with employees the next day to advise on situation.</p> <p>During consultation period be available to meet with any employees who request a one to one meeting.</p>	

<p>Issue staff pro forma forms to all staff (2a/b/c) and check for accuracy prior to authorising. Collate any information submitted by employees or Trade Unions</p>	
<p><b>PRIOR TO STAGE 3</b></p> <p>Prepare anonymised appendix 3A, B OR C.</p> <p>Prepare a list of employee identification numbers and corresponding names for HR.</p> <p>Prepare Summary Report to include:</p> <ul style="list-style-type: none"> <li>• Any changes to the curriculum which have affected teaching requirements.</li> <li>• Rational for accepting/rejection VS requests.</li> <li>• Impact of redundancies on each category of staff, e.g. support, teaching assistants etc.</li> <li>• Details of curriculum and leadership/management responsibilities.</li> <li>• Provide curriculum analysis. (secondary schools)</li> <li>• Collate information submitted by employees/Trade Unions</li> <li>• Support staff structure with further explanation/commentary</li> </ul> <p>Prepare a list of employee identification numbers and corresponding names for HR.</p>	
<p>, Attend Governing Body Meeting and present information.</p>	

<p>Respond to Trade Unions/Governors as necessary.</p> <p>If necessary, provide information regarding VS requests at this meeting or at stage 4</p>	
<p><b>STAGE 4</b></p> <p>Attend Determining Committee meeting and provide an explanation of the submitted information.</p> <p>If VS requests are to be considered at this meeting provide rational for acceptance/rejections.</p> <p>Following selection by Determining Committee provide (if relevant) information on any significant implications on the ability to deliver the curriculum without the selected employee.</p> <p>Next day, confirm to employees if voluntary requests have been accepted or rejected and meet with any employee selected for compulsory redundancy.</p>	
<p><b>STAGE 5</b></p> <p>Attend Determining Committee representations meeting and be prepared to answer any question from the employee, Trade Union or Determining Committee.</p>	
<p><b>STAGE 6</b></p> <p>Attend Appeal Committee meeting and be prepared to answer any question from the employee, Trade Union or Appeal Committee.</p>	

**CLERK TO GOVERNING BODY CHECKLIST**

<b><u>ACTION</u></b>	<b><u>DATE AND TIME</u></b>
<p><b>Stage -Preparation /Prior to stage 1</b></p> <p>Ensure Determining and Appeals Committees are constituted correctly and have sufficient available members.</p> <p>Check that the Redeployment and Redundancy Policy has been adopted.</p> <p>Arrange Stage 1 Governing Body meeting.</p> <p>Ensuring all full Governing Body meetings are quorate.</p> <p>Liaise with HR People Services as necessary throughout the process.</p>	
<p><b>STAGE 1</b></p> <p>Attend and minute meeting.</p> <p>If necessary constitute Determining and Appeal Committee.</p> <p>Produce minutes of meeting to Chair of Governors for approval.</p> <p>Ensure staff Governors leave before voting.</p> <p>Prepare letter 1 and 2 and ensure Trade Unions have the appropriate enclosures as provided by the headteacher.</p> <p>If not already done so notify HR of timetable options.</p>	
<p><b>PRIOR TO STAGE 2</b></p> <p>Produce minutes of Stage 1 meeting to Chair of Governors for approval.</p> <p>Arrange Stage 2 meeting.</p>	
<p><b>STAGE 3</b></p>	

<p>Attend and minute meeting. Minutes <b>MUST</b> be produced and approved within 3 working days-this is essential.</p>	
<p><b>STAGE 4</b></p> <p>Attend Determining Committee meeting.</p> <p>Ensure all paperwork as part of the process is collated and stored in line with Data Protection.</p> <p>Minutes <b>MUST</b> be produced and approved within 3 working days-this is essential.</p> <p>Prepare letters 3 and 4 as appropriate for Chair of Governors/ committee.</p> <p>Provide copies of relevant grids to any employees selected for compulsory redundancy and a copy of the minutes (redacted if necessary) to the employee and Trade Union, by day 4 at the latest. These should be emailed and paper copies provided where requested.</p> <p>Complete letters 5/6 as necessary.</p>	
<p><b>PRIOR TO STAGE 5</b></p> <p>Liaise with Committee members, headteacher, Trade Unions, HR and any other relevant parties regarding the date and time of the Determining Committee Representations meeting.</p>	
<p><b>STAGE 5</b></p> <p>Attend Determining Committee Representations meeting.</p> <p>Ensure all paperwork as part of the process is collated and stored in line with Data Protection.</p> <p>Minutes <b>MUST</b> be produced and approved within 3 working days-this is essential.</p>	

<p>Issue letter 7.</p> <p>Provide copies of relevant grids to any employees selected for compulsory redundancy and a copy of the minutes (redacted if necessary) to the employee and Trade Union, by day 4 at the latest. These should be emailed and paper copies provided were requested.</p>	
<p><b>PRIOR TO STAGE 6</b></p> <p>Liaise with Appeal Committee members, headteacher, Trade Unions HR and any other relevant parties regarding the date and time of Appeal Committee meeting.</p>	
<p><b>STAGE 6</b></p> <p>Attend Appeal Committee meeting.</p> <p>Ensure all paperwork as part of the process is collated and stored in line with Data Protection.</p> <p>Minutes <b>MUST</b> be produced and approved within 3 working days-this is essential.</p> <p>Issue letter 8 and 9.</p> <p>Ensure minutes of this meeting are issued to the employee and their representative regardless of the outcome.</p>	
<p>Note; The time scales in this policy must be adhered to, particularly with regard to meetings, minutes and grids. It is essential were necessary to phone Trade Unions or Committee members with regard to timings and not rely on emails.</p>	