

#### **Reorganisation, Redundancy and Redeployment**

**Supporting Documents**

**Updated and Implemented – December 2018**

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### **Appendix A** - **RRR Timescale Planner** - <*insert School*> - <*insert term, year*>

|  |  |  |  |
| --- | --- | --- | --- |
| **Date**  **action required** | Event | **Who is involved** | **Actions** |
| **PRE CONSULTATION** | Liaise with FMS team, HR and School Improvement Services.Review contractual status e.g. fixed term/temporary contracts, etc.Take HR advice on legal aspects of temp contracts and a meeting with HR prior to commencing the next steps is advised | Governors and Head  HR for initial conversation with Head |  |
|  | Full Governing Body meet to:agree savings/reductions/changes and need for possible redundancies.  1. ensure RRR Policy is adopted 2. appoint Selection (Dismissals) Committee 3. appoint Appeals Committee 4. delegate responsibility to Committees | Governors  Head | Agree parameters for redundancy.  Selection and Appeals Committes to commit to all required meeting dates throughout process. |
|  | Complete and **submit business case** to the LA (via HR) to request underwriting of redundancy costs. | Head | Appendix B – submit to [redundancybusinesscase@northyorks.gov.uk](mailto:redundancybusinesscase@northyorks.gov.uk) |
|  | Compile draft consultation pack to include proposal, rationale, current and proposed structures, staff affected, budget information, draft selection criteria, etc | Head  HR | Redundancy/restructure plan. Consultation pack drafted by Head - checked by HR |
|  | **Selection Committee meet** to agree proposals, selection criteria and confirm dates/times for key meetings during the process and discuss their roles and responsibilities. | Selection Committee  Head  HR if required |  |
| **Give 2 working weeks notice of meeting where possible** | **Invite unions to preliminary consultation meeting** (enclose consultation pack) | Head | Letter out from school to unions inviting them to consultation meeting  (Appendix C & D) |
| **(normally same time as union invite)** | **Invite staff to consultation meeting** | Head | Letter out from school to affected staff inviting them to consultation meeting (Appendix E) |
|  | **Meet with unions** (ideally same day and immediately prior to staff meeting). | A member of the Selection Committee  Head  HR | To inform unions of the proposals that will be presented to staff |
| **Minimum 30 calendar days** | **COMMENCE CONSULTATION**  **Meet with staff** – present proposal on behalf of the Selection Committee | Head  A member of the Selection Committtee  HR  Employees | Letters sent out by Head from Chair of Selection Committee:  Unions Section 188 (App F)  Staff FAQs (App G1, G2 or G3)  Staff Letter (App H1, H2 or H3) |
| **During early stages of consultation period** | If not completed pre-consultation, **Selection Committee, Head and HR meet** to draft selection criteria to be used in the case of compulsory redundancy (ideally following staff meeting) | Selection Committee  Head  HR | If appropriate, circulate to unions/staff during the consultation period. Otherwise circulate at next step of the process. |
| **During 30 day period**  (calendar days, although school holidays *normally* discounted) | If possible, **Selection Committee meet** during consultation to consider feedback/ applications for voluntary redundancy received at that point. Notify staff and unions of any changes to the proposals. | Selection Committee  Head  HR | Consultation can be concluded early if changes can be achieved voluntarily. |
|  | **END OF CONSULTATION** |  |  |
| **Meeting immediately after consultation period ends** | Selection Committee meet to consider feedback from staff and any applications for voluntary redundancy, reduction in hours, etc.If compulsory redundancies are necessary, or there is competition for posts in the new structure finalise selection criteria and skills audit and notify staff and unions. | Head  Selection Committee  HR | Volunteers: Letters confirming decision on VR request sent out by school (Appendix I1, I2 or I3) |
|  | **Head to meet with staff** affected and explain process of completing audits. Provide skills audit forms to staff to complete as appropriate (with return date – ideally allow 10 working days to complete if possible). | Head  Employees | Compulsory/competitive process: Letter/criteria/skills audit form sent out to all staff by school - Appendix J & K |
|  | **Head to validate skills audits** and anonymise for Selection Committee. | Head |  |
|  | **Selection Committee meet** to select posts for compulsory redundancy, and/or select individuals for posts in the revised structure. | Head  Selection Committee  HR | Use scoring matrix (Appendix L) |
|  | **Notify employees** (verbally and in writing):   * that their post has been nominated as redundant, or * of the offer of a new or alternative post/working pattern, or * of confirmation of an unchanged post   and   * of their right to representation and appeal | Head  Chair of Selection Committee | Letters out from school to staff (inc min 10 days notice of date of representation and appeal)  Appendix M1, M2, M3 or M4 |
|  | **Commence redeployment process** for employees in a redundancy situation | HR |  |
| **Must give 10 working days notice of hearing date** | If required, Selection Committee meet to consider any representations and notify staff of their decision. | Selection Committee  HR  Employee(s) | Appendices N, O and P |
| **Allow gap of time between representation and appeal hearing** | If required, Appeals Committee meet to consider appeals and notify staff of their decision. | Chair of Selection Committee  Appeals Committee  HR  Employee(s) | Appendices N, O and Q |
|  | Governors notify HR of redundancies and reasons for them School to **notify the Employment Support Service** of relevant changes | Governors  Head |  |
|  | Notice Issued for redundancy situations to Employee (Maintained/VC notice to be served by LA\*)Red2 Form sent to employee for signing and return (Modifications Order implications) | HR | \*VA/Foundation Schools only: Appendix R if applicable  Please adhere to the key notice dates for teaching staff |
|  | Process redundancy payment (if applicable) | HR  ESS |  |

### Appendix B – Business Case for Redundancy Funding

**For schools ­­to complete when preparing a staff reorganisation that might require reductions and the redundancy costs are being sought from the Local Authority**

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Confidential**

Expand sections as required when completing the pro-forma. Please be aware that further information may be requested by the panel:

(\* delete as appropriate)

|  |  |  |  |
| --- | --- | --- | --- |
| **Name of school:** |  | | |
| **School SLT contact: (HT or CoG)** |  | | |
| **School finance contact: (SBM/FMS Officer)** |  | | |
| **HR contact: (S/HRA)** |  | | |
| **Does the school currently have, or is the school forecasting, a budget deficit?**  Yes / No\*  If Yes, please continue with the following sections. If No, your application will not meet this criterion and will not be eligible for consideration by the panel. | | | |
| **Has the school recruited any new appointments in the year preceding date of submission?**  Yes / No\*  If Yes, please provide details and reasons and whether you were aware of the projected deficit or had an in year deficit at the time: | | | |
| **What staffing changes are being proposed, including the reasons?** *(include posts proposed for redundancy and outline how redundancy might be alleviated through redeployments and vacancies in the new structure)* | | | |
| **Can the school confirm that the number of similar posts is not anticipated to increase in the year following proposed redundancies?**  Yes / No\*  If Yes, please provide reasons: | | | |
| **What are the estimated costs of redundancy based on any quotations obtained?** *(NYHR can provide confidential estimates given employee number and leave date. Please provide ‘worst case’ costs but also an indication of ‘likely’ costs)* | | | |
| **What other cost saving and income generation measures have been applied and/or considered?**  Please provide details: | | | |
| **Please provide evidence of any measures put in place to actively manage staffing in order to seek to avoid the need for redundancies:**  (e.g. active management of vacancies, retirements, ending of fixed term contracts, flexible working requests, etc.) | | | |
| **Please attach to your submission, as appropriate:** - Current and revised staff structures (affected areas) - Budget forecast without proposed reductions (current + 2 yrs)  *(See Appendix B1, p.3)* - Budget forecast with proposed reductions (current + 2 yrs)  *including any pension strain costs (obtained via NYHR)  (See Appendix B2, p.3)* - Savings of proposals compared to cost of implementation  *(See Appendix B3, p.3)* | | | **Included** Y / N\* Y / N\*  Y / N\*   Y / N\* |
| **Date of submission:** | |  | |
| **Date of panel decision:** | |  | |
| **Outcome:** | | Request approved / not approved\* | |
| **Panel Notes:** | | | |

**Appendix B1 – Budget forecast *without* proposed staffing reduction**

|  |  |  |  |
| --- | --- | --- | --- |
|  | **Year 1 (current) £’000** | **Year 2 £’000** | **Year 3 £’000** |
| **Total income** |  |  |  |
| **Total expenditure** |  |  |  |
| **In-year position** |  |  |  |
| **Balance b/fwd** |  |  |  |
| **Balance c/fwd** |  |  |  |

**Appendix B2 – Budget forecast *with* proposed staffing reduction  
(please include any pension strain costs and voluntary redundancy costs)**

|  |  |  |  |
| --- | --- | --- | --- |
|  | **Year 1 (current) £’000** | **Year 2 £’000** | **Year 3 £’000** |
| **Total income** |  |  |  |
| **Total expenditure** |  |  |  |
| **In-year position** |  |  |  |
| **Balance b/fwd** |  |  |  |
| **Balance c/fwd** |  |  |  |

**Appendix B3 – Savings achieved from staffing reductions compared to (potential) cost of implementation**

|  |  |  |  |
| --- | --- | --- | --- |
|  | **Year 1 (current) £’000** | **Year 2 £’000** | **Year 3 £’000** |
| **a. Savings from staffing reduction** |  |  |  |
|  | | | |
| **Pension strain costs** |  |  |  |
| **Estimated redundancy costs** |  |  |  |
| **b. Potential cost of implementation** |  |  |  |
|  | | | |
| **Saving less potential costs (a – b)** |  |  |  |

*Note: that Appendix B3 may be requested for each separate grouping of affected staff, i.e. teachers, teaching assistants, midday supervisors, etc.*

**GUIDANCE FOR SCHOOLS**

**SCHOOL BUSINESS CASE FOR REQUESTING NORTH YORKSHIRE COUNTY COUNCIL’S FUNDING OF REDUNDANCIES**

**1. INTRODUCTION**

1.1 The guidance applies to LA maintained schools including voluntary aided & foundation schools

1.2 The Schools’ Forum have agreed for a contribution to be from de-delegated funding towards the Local Authority budget to school compulsory redundancy costs for the 2019/20 financial year. This will allow the Local Authority to continue to fund redundancies in schools where the robust criteria for accessing funding support is met in full. The redundancy support fund is a limited financial resource and a panel of Local Authority officers will be responsible for considering business cases submitted by schools in order to ensure that the process for accessing the fund is robust and fair for all.

1.3 This guidance sets out the process that needs to be followed by schools who are considering a staff re-organisation that might result in redundancies and should be read in conjunction with the business case pro-forma.

1.4 It is assumed that the school can evidence it has adopted the latest RR&R Policy and that this has been followed.

**2. REDUNDANCY COSTS**

2.1 Redundancy costs will only be met by the LA where:

2.1.1 Finance has confirmed that the school is in financial difficulty (the school is forecasting a cumulative budget deficit in the current or next financial year) and staffing reductions are required to address the budget deficit position.

2.1.2 The forecast net savings from the staffing reduction address the cumulative budget deficit of the school or form part of a wider plan to address the cumulative budget deficit (the school is required to provide details of any wider cost reduction plans and income generation plans as part of the business case process)

2.1.3 The “payback period” of the redundancy costs and any pension strain costs compared to the savings from the staffing reduction is a maximum of 1 year (longer payback periods may be considered on an exceptional basis)

2.1.4 The Governing Body can evidence that:

* The need for redundancies is outside of the school’s control. For example, robust staffing and financial management / other appropriate measures have been in place to mitigate the need for redundancies as far as possible
* The number of similar posts in the school is not anticipated to increase within 1 year after the effective date of termination
* There is an overall headcount and cost reduction in the schools staffing establishment

2.2.5 The LA will not be in a position to fund redundancies where:

* The school has an excess surplus balance
* The school is not deemed to be in financial difficulty
* The school cannot provide sufficiently robust evidence that the situation is outside of the school’s control. For example there is limited evidence the school has had robust staffing and financial management in place which may have avoided or mitigated the need for redundancies.

2.3 The LA will recover the costs associated with redundancies if:

* the school employs anyone into a similar post within one year of the redundancy effective date without having the rationale behind the appointment approved by the LA panel
* the business case presented to the LA panel is found to lacking key information that might have influenced the decision outcome

**3. REDUNDANCY PAYMENTS**

3.1 Redundancy payments are outlined in NYCC’s Re-organisation, Redundancy and Redeployment Policy and Procedure.

3.2 Schools will be required to meet the cost of any pension payments associated with redundancy (these apply to support staff who are in the LGPS, and who are aged 55 and over).

3.3 *Teacher* redundancy payments will be based on the application of the statutory limit on a weeks’ pay (£508 as at April 2018). **Where the criteria for approval is met, the LA will only meet the compulsory redundancy cost of a teacher. Any discretionary enhancement to preserve voluntary terms will be funded by the school.**

3.4 The LA disregards the statutory limit on a weeks’ pay (£508 as at April 2018) in calculating *support* staff redundancy pay

**4. SCHOOL RESPONSIBILITY**

4.1 The school is responsible for providing the following information to the LA panel for consideration:

4.1.1 a completed Redundancy Business Case proforma, detailing the school’s financial position, why the redundancy is required, and what steps have been taken to avoid redundancies

4.1.2. copies of the school’s budget with and without the proposed staffing reduction

4.1.3. details of current and proposed structures (if applicable)

4.1.4 in time, letter(s) from staff requesting voluntary redundancy (if applicable)

4.2 The Redundancy Business Case must be submitted to the LA prior to the start of the Redundancy Process and no assumption should be made regarding funding until confirmation is received.

**5 LA RESPONSIBILITY**

5.1 An e-mail acknowledgement will be sent to schools on receipt of their completed Business Case proforma, and once a decision has been reached in respect of LA support, the school will be duly notified of this decision to help in determining next steps.

Applications will be submitted to the LA panel for consideration to [redundancybusinesscase@northyorks.gov.uk](mailto:redundancybusinesscase@northyorks.gov.uk). Your HR lead will be able to forward on your behalf.

This guidance was updated December 2018

### Appendix C – Preliminary Letter to Unions

**Send to Trade Unions on the list (Appendix D)**

**Copies to HR Adviser**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**Confidential**

<Name>

<Union>

<Date>

Dear <Name / Union Colleague>

**<SCHOOL NAME> - PROPOSED REDUCTION AND/OR REORGANISATION IN THE TEACHING AND/OR SUPPORT STAFFING ESTABLISHMENT**

I am writing to advise you of a potential reorganisation **and/or** redundancy situation at this school, involving the teaching **and/or** support staff, arising from the following circumstances: - **<Give reasons for the reorganisation/redundancy situation>.**

Prior to formal consultation with staff and unions, **(*if relevant:* including the issuing of a ‘Section 188 Letter’)**, I am inviting you to attend a meeting with myself, a member(s) of the Governors’ Reorganisation/Redundancy Selection Committee, the school’s Senior/HR Adviser and **(*if relevant:* Detail anyone else due to attend e.g. FMS Officer),** at which the reasons for this situation can be discussed, the proposals presented and suggestions for alternative strategies can be considered **(Optional - together with initial proposals for selection criteria)**, and your questions answered.

I enclose copies of the following documents, which should inform our discussions: -

* Financial Outturn Statement
* Current year financial plan plus two subsequent years (based on pupil and staffing numbers assumptions)
* Financial forecast including proposed staffing changes
* Curriculum plan ***(Secondary schools only)*** – existing and proposed
* Class structure plan – existing and proposed ***(if relevant)***
* Staffing structures – existing and proposed
* Proposed ‘pool’ for consideration of redundancies (including names of affected staff, and current posts)
* Proposed timetable for completion of process

***(Plus any other relevant information connected with a reorganisation e.g. ring-fencing proposals)***.

The meeting is planned to take place on **<Date>** at **<Time>** at **<Venue>**. Please confirm by **<Date> *(e.g. 5 working days prior)*** whether or not you (or an alternative representative) will be attending. If you do not respond by that date I will take it that you do not wish to be represented at this meeting.

It is proposed that following the above meeting you are invited to attend a further meeting at which the (appropriate) staff of the school will be formally informed of the situation, signalling the start of the formal consultation process.

**(Optional - The proposals will be shared with staff at the start of consultation. Therefore, we request that you keep the information enclosed confidential at this stage.)**

Yours sincerely

<Name>

**Headteacher**

### Appendix D

**NYCC – RECOGNISED TRADE UNIONS / PROFESSIONAL ASSOCIATIONS**

**Note**: Contact list for Sect 188 letter and any restructure consultation meetings

Circulation dependent on what type of staff are affected (note that most of the below are teaching unions)

Only recognised unions should be invited to reorganisation, redundancy and redeployment meetings

| **Trade Union /**  **Professional Association** | **Name of Representative** | **Address** | **Phone number** | **E Mail address** |
| --- | --- | --- | --- | --- |
| **ASCL**  Association of School and College Leaders | **Mark Sutton**  Regional Officer | 130 Regent Road Leicester LE1 7PG | w. 0116 2991122  m. 07435 970303 | [Mark.sutton@ascl.org.uk](mailto:Mark.sutton@ascl.org.uk) |
| **NAHT**  National Association of Headteachers (inc. Heads & Deputies) | **Chris Knowles**  Secretary | Newby & Scalby Primary School, The Green, Newby,  Scarborough  N.Yorkshire, YO12 5JA | m. 07970 276746 | [northyorkshire@nahtofficials.org.uk](mailto:northyorkshire@nahtofficials.org.uk) |
| **NASUWT**  National Association of School Teachers & Union of Women Teachers | **Spencer Williams**  NYFED Secretary | 70 Osgodby Lane  Scarborough  North Yorkshire  YO11 3QB | m. 07736 059207 | [nynasuwt@gmail.com](mailto:nynasuwt@gmail.com) |
| **NEU**  National Education Union | **Paul Busby**  Branch Secretary | 6 Laurel Rd  Saltburn-by-the-Sea  Cleveland  TS12 1HU | m. 07788 504483 | [paul.busby@neu.org.uk](mailto:paul.busby@neu.org.uk) |
| **VOICE**  The union for education professionals | **Stephen Payne**  Regional Officer (North) | 5 Stuart Grove  Eggborough  E.Yorkshire, DN14 OLY | w. 01977 661611 | [shpayne62000@yahoo.com](mailto:shpayne62000@yahoo.com) |
| **UNISON**  Represents Support Staff | **Wendy Nichols**  Branch Secretary | County Hall, Northallerton, N.Yorkshire, DL7 8AD | w. 01609 532496 | [unison@northyorks.gov.uk](mailto:unison@northyorks.gov.uk) |

**January 2019**

### Appendix E – Letter inviting staff to consultation meeting

**Send to those who you have identified as potentially at risk of redundancy/or directly affected by the proposed changes (to include those on maternity leave, sick leave, etc.)**

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Confidential**

<Name>

<Job Title> ***(if being hand delivered)***

<Date>

Dear <Name>

The Governors are currently reviewing the staffing structure **and/or** budget for the next academic ***(or financial)*** year. This may result in a staff reorganisation **and/or**reduced number of staff being required which may lead to a potential redundancy situation.

This is due to **<give reasons e.g. falling roles, changes in curriculum, management restructure, budget, etc.>.**

It is not anticipated that natural turnover alone will enable the school to reach the proposed revised establishment.

A meeting will be held on **<Date>** at **<Time>** at **<Venue>** to discuss the impact on staffing and budget issues and to explore ways of addressing this situation.

A member of the governing body’s selection committee and a representative from Human Resources will also be present. Union representatives have also been invited to attend the meeting.

This meeting will signal the start of the consultation process.

Please let me know if you are unable to attend.

Yours sincerely

<Name>

**Headteacher**

cc. HR Adviser

### Appendix F – Section 188 Letter

**Send to Trade Unions on the list (Appendix D) as part of consultation with recognised Trade Unions in accordance with the Trade Union and Labour Relations (Consolidation) Act 1992 (Redundancy)**

**Copies to HR Adviser**

**NOTE: Other than volunteers, criteria listed in paragraph 4 can be listed in whole or in part.**

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**Confidential**

<Name>

<Union>

<Date>

Dear <Name / Union Colleague>

**<SCHOOL NAME> – REDUCTION IN THE TEACHING AND/OR SUPPORT STAFFING ESTABLISHMENT**

I am writing to you formally on behalf of the Governing Body in accordance with Section 188 of the Trade Union and Labour Relations (Consolidation) Act 1992 to inform you that with effect from **<date>** the Governing Body may require the Local Authority to dismiss as redundant **<number>** members of the **teaching and/or support** staff from the establishment of this school.

Under the terms of Section 188 of the Act, I have set out the required information in the following paragraphs:-

1. The reasons for the proposal stems from **<give reasons>** which leads to a reduction of the numbers of **<*state job types>*** required in **<name of area affected>**.
2. Details of the roles that may be affected are **<state e.g. 1 Art Teacher, 2 support staff>*.***
3. The number and type of staff of this description in this establishment is attached at Appendix 1. *(****Appendix 1 should detail all posts, names, hours worked)***
4. Governors will consider using the following list of criteria. The selection criteria to be used will be:

* Voluntary achievement of reductions

If there are no suitable and acceptable volunteers then the following criteria, which are not in any particular order, will be considered:

* area of responsibility
* relevant qualifications
* relevant skills and experience
* evidence from performance appraisals
* curricular and pastoral needs of the school, with reference to the school improvement plan
* termination costs

In the vast majority of cases, the above criteria will be sufficient to select individuals for redundancy. However, where further criteria are required to select between employees then consideration may be given to the following: -

Using the scores in one of the above criteria areas e.g. ‘curricular and pastoral needs of the school’ as the determinant i.e. the employee(s) with the lowest scores in this area would be selected for redundancy. If this fails to select between the candidates then a second area may be examined e.g. ‘relevant skills and experience’.

In the extremely unlikely event of it still not being possible to make a selection for redundancy based on the above criteria then the selection committee will use a predetermined ‘tie break’ criterion in order to conclude the process.

If you have any comment to make, or suggestions to offer, as to the appropriateness of these criteria or the weighting that should be given to them, then please do not hesitate to contact me.

***(NOTE – At this stage, schools may be able to specify more precisely the proposed selection criteria/weightings to be used)***

1. When formulating the selection criteria, consideration must be given to the cost of each individual redundancy (particularly related to pension costs) whether voluntary or compulsory, as this may have a bearing on the selection outcome. In agreeing to fund the cost of any redundancy, the Local Authority will take into account as to whether less costly selection could have been introduced.

**6** The Governing Body will request the Local Authority to seek to offer alternative employment, if possible, and will investigate alternative posts within the school / LA. The proposed methods of carrying out the dismissal will have regard to the employee’s period of notice and the statutory period of consultation. Please refer to the Schools’ Reorganisation, Redundancy and Redeployment Policy.

The proposed dismissal (s) may take effect from **<date>**

**7**. Redundancy payments will be made in accordance with the Authority’s Redundancy Schemes for Teaching **and/or** Support Staff.

Please contact myself or the Headteacher **<name and contact details>** if you have any comments or representations concerning this proposal by **<Date consultation ends>.**

Yours sincerely

<Name>

Chair of Governors Selection Committee

on behalf of the Governing Body

### Appendix G1 – Frequently Asked Questions

**Note: This information sheet is to be used in compulsory redundancy situations where the proposal means that there will be no opportunity to volunteer or a selection process is required.**

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**NORTH YORKSHIRE COUNTY COUNCIL**

**INFORMATION FOR SCHOOL STAFF**

**REDUNDANCY AND REDEPLOYMENT**

Where a school is proposing changes to staffing structures, it is important that there is good communication between all parties concerned. This information sheet aims to support the process and covers some of the key points that staff have raised in these situations in the past, which may be helpful to you now.

**Can redundancy be avoided?**

As part of the consultation process the school will look at alternative measures to compulsory redundancy which may include consideration of; natural wastage, a recruitment freeze, retirement and redeployment.

**Who will make the decisions in a redundancy process?**

The Governors’ Selection Committee consisting of members of the Governing Body will make all the decisions during consultation concerning the proposals made and their implementation.

A Governors’ Appeals Committee consisting of different, previously uninvolved members of the Governing Body will make decisions about any appeals made in the final stages of the process.

Both Committees are advised by the Headteacher and supported by Human Resources throughout the process.

**What happens now?**

Consultation with staff and union representatives.

The purpose of consultation is to allow time to consider and explore alternatives to the proposal and the proposed implementation plan and timescale.

For a minimum of 30 calendar days, the Selection Committee will consider all alternatives raised with them. **This is the stage we are at now**. Any proposals you have for alternatives should be put in writing and submitted via the Headteacher or channelled through your union representatives.

You may, of course, seek the support/advice of your trade union representative throughout the process. You may also wish to seek an individual meeting with the Headteacher if you wish to discuss your own situation in detail.

Following the consultation process the Selection Committee will finalise the structure and communicate this to staff and union representatives.

**Compulsory Redundancy and Redeployment**

Following consultation, where a post is deleted from the staffing structure, it is anticipated that this will result in staff being at risk of compulsory redundancy. The LA will work with you to seek suitable alternative work and this process will commence during the consultation period on the basis that maximum time and effort needs to be given to seeking redeployment.

Both the employer and the employee are required to demonstrate that every reasonable effort has been made to carry this out. Redeployment is subject to a trial period. Unreasonable refusal to undertake a suitable redeployment appointment may result in the loss of any redundancy pay.

If you are selected for redundancy you will be provided with guidance, information and support in finding suitable alternative employment. The school and Human Resources (Resourcing Solutions Team) will support you through this process.

It must be recognised, however, that under Local Management of Schools legislation, each Governing Body is responsible for the employment of its own school’s staff. The Authority can only recommend that individuals be considered for vacant posts and cannot place staff into schools.

Vacancies for potential redeployment may be found on the NYCC website: <https://www.northyorks.gov.uk/jobs-and-careers>

Where alternative employment is taken up the individual is entitled to a 4 week trial period in the new post (the time period can be extended for up to a total of 3 months for training purposes only, provided this is made clear in advance of the new post starting and is recorded in writing). Either the employer or the employee can end the employment during or at the end of the trial period if they deem it unsuitable. If the employee unreasonably rejects the new post (or works in it beyond the end of the trial period) a redundancy payment will not be made.

**Representation and Appeal**

If you are selected for compulsory redundancy, you have the right to make representation (present your case) to the Selection Committee and also subsequently to appeal against their decision to the Appeals Committee.You are entitled to bring a Trade Union representative or work colleague with you to both of these meetings.

**Redundancy Pay**

**In order to be eligible for any type of redundancy payment the employee must have two years continuous service (with local government, or other body in accordance with the Modifications Order) at the date the employment terminates.**

The calculation is based on age and length of continuous service and the amount of a week’s pay in the post affected at the date of termination. It takes into account a maximum of 20 years service (working backwards in time from the date of redundancy) as follows:

* For service undertaken up to age 21yrs = ½ a weeks’ pay for each completed year of service
* For service undertaken between 22 – 40yrs = 1 weeks’ pay for each completed year of service
* For service undertaken 41yrs plus = 1½ weeks pay for each completed year of service

For example, someone made redundant aged 56 with 25 years of continuous service would be eligible to receive:

15 weeks pay x 1.5 = 22.5 weeks

+ 5 weeks pay x 1 = 5 weeks

TOTAL = 27.5 weeks pay

For redundancy for teachers the statutory limit is applied to the calculation of a week’s pay. *(The statutory limit normally changes annually - £508 as from April 2018). For support staff the calculation of an actual weeks pay is used for compulsory redundancy payments.*

Redundancy payments up to £30,000 are not normally subject to deductions for tax or national insurance.

**An employee selected for compulsory redundancy or accepted for voluntary redundancy will not be entitled to a redundancy payment if they are offered and accept employment with the Authority or an associated employer (as defined by the Local Government Modification Order) before their existing contract ends, to commence within 4 weeks of their existing contract ending.** In these circumstances, the new employment would be regarded as continuous service. You will be asked to sign a form (Red 2) to confirm that you understand this requirement.

**What is Continuous Service?**

In Local Authority employment, continuous service includes all unbroken service in any post with this or another Authority and certain other named public bodies coming under the Redundancy Payments (Continuity of Employment in Local Government etc) (Modification) Order 1999 and Amendments (usually referred to as ‘the Modification Order’).

In order to break service there needs to be a gap of one clear calendar week when a contract of employment does not exist. A caveat to this is ‘term-time only employment’, where a gap caused by school holidays is likely to be regarded as a ‘temporary cessation of work’ which does not break the continuity of employment.

‘Casual and relief work’ will not normally count as continuous service unless there is a regular pattern of uninterrupted employment.

**What information and support will be available?**

You can:

* Request a redundancy estimate from [NYHR@northyorks.gov.uk](mailto:NYHR@northyorks.gov.uk)
* Request a meeting with the Headteacher and / or HR if you require clarification of any issues
* Seek advice from your Trade Union representative

A copy of the Reorganisation, Redundancy and Redeployment Policy is available from the school upon request.

It is appreciated that redundancy situations can be stressful to those directly and indirectly affected and may impact on both work and personal life. It is advised that you seek support where appropriate.

**Health Assured**

This is a free and confidential support service available for employees of NYCC and their immediate family members and can be contacted via a 24 hour personal support service on 0800 030 5182.

If you are not sure who to contact for support and advice please contact Human Resources or your Headteacher.

### Appendix G2 – Frequently Asked Questions

**Note: This information sheet to be used where a school needs to conduct a reorganisation process that may result in redundancies.**

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**NORTH YORKSHIRE COUNTY COUNCIL**

**INFORMATION FOR SCHOOL STAFF**

**REORGANISATION, REDUNDANCY and REDEPLOYMENT**

When a reorganisation is proposed, a process is followed which allows members of staff and their trade union representatives to comment on the proposals and ask questions for clarification. This document covers the various stages of the process including what happens when redundancies are necessary and the measures that are taken to try to identify redeployment opportunities. Good communication between all parties concerned is very important and this information sheet aims to support the process and covers some of the key points that staff have raised in these situations in the past, which may be helpful to you now.

**Why is there a proposed reorganisation?**

Change is a fact of working life and comes about through a variety of reasons, such as Government initiatives, targets and priorities, changing working practices, meeting pupils needs, revised funding arrangements and the need for efficiencies.

Your school is undertaking a proposed staffing reorganisation, reasons for which are included in the rationale which will have been presented to you at the consultation meeting.

**Who will make the decisions in a reorganisation process?**

The Governors’ Selection Committee consisting of members of the Governing Body will make all the decisions during consultation concerning proposals made and their implementation.

A Governors’ Appeals Committee consisting of different, previously uninvolved members of the Governing Body will make decisions about any appeals made in the final stages of the process.

Both Committees are advised by the Headteacher and supported by Human Resources throughout the process.

**What consultation will take place?**

Consultation will take place with all staff affected by the proposed changes and with their trade union representatives. The purpose of the meeting today is for the proposals to be outlined and for you and your union to ask questions you may have.

* Today is the start of the formal consultation period. The purpose of the consultation is to consider and explore alternatives to the proposal and the proposed implementation plan and timescales.
* Consider any ways of achieving reductions voluntarily, including expression of interest in voluntary redundancy, or reduction in hours

For a minimum of 30 calendar days, the Selection Committee will consider all alternatives raised with them. Any proposals you have for alternatives should be put in writing and submitted via the Headteacher or channelled through your union representative

You may, of course, seek the support/advice of your trade union representative throughout the process. You may also wish to seek an individual meeting with the Headteacher if you wish to discuss your own situation in detail.

Following the consultation process the Selection Committee will finalise the structure and communicate this to staff and union representatives.

**How will the plan be implemented?**

When a reorganisation is proposed, the key implications for staff will be in moving from the old structure to the new one. Depending on the size and scope of the reorganisation this may affect a large number of employees or only a few. The new structure may be considerably different from the old one or there may only be minor changes.

A Governors’ Selection Committee has been established to agree the new structure and methods by which staff will be appointed into the new structure. In some cases employees may be able to be ‘slotted in’ to the new structure in the same or very similar roles. Other posts may require a competitive selection or suitability process.

In any restructure posts in the current structure will be either:

* Unchanged – and the postholder directly assimilated into the corresponding post in the new structure
* Unchanged but with a reduction in number – and the postholders will be ring-fenced to the new posts.
* Changed – and the postholder will be ring-fenced for any other suitable posts in the new structure.
* Deleted – and the postholder will be ring-fenced to other suitable posts in the new structure or if no suitable posts exist the postholder will be identified as being at risk of compulsory redundancy.

The proposals presented will indicate the proposed details of posts and ring-fencing.

Staff will therefore be at risk of compulsory redundancy;

* where a post is deleted and there are no other posts for them to be ring-fenced against, or
* where the individual has been ring-fenced but is not successful in being appointed into a new post
* if no other suitable alternative work can be secured via redeployment.

**What is ring-fencing?**

In a reorganisation the intention is, as far as possible, to avoid or minimise job losses. Therefore it is usual to ‘ring-fence’ affected posts in the old structure so that the staff in those posts have priority in recruitment to the new structure.

There can be different levels of ring-fencing, depending on the breadth of the reorganisation and there can be more than one ring-fence within the overall ring-fence of the structure.

When the new structure is agreed the selection process will begin. This will normally take place top down, appointing to the higher banded posts first in most instances. Depending on the changes involved, selection will take place on the basis of ring-fenced groups. Ring-fence eligibility will include those employees who may be in unchanged posts that are reduced in number.

In some instances, employees in ring-fenced groups will have more than one post they can apply for. Where this is the case they will be invited to express their preference to indicate their choice.

**Voluntary Redundancy**

If you wish to volunteer for redundancy, you will need to put your request in writing to the Selection Committee during this consultation period. They will consider your application and respond to you in writing. We would strongly advise if you are interested in this option that you ensure that you have gained all the necessary information to inform your request as if accepted by the Selection Committee it will be assumed that this will become a mutually agreed arrangement. This information sheet outlines much of the key information and if you have any questions about its interpretation please ensure that you have clarity prior to putting a request forward for voluntary redundancy to the Selection Committee.

You should be clear that volunteering for redundancy will not ordinarily result in receiving a higher compensatory amount than if compulsory redundancy were to apply.

**Applications for voluntary redundancy are not always accepted**, e.g. where the school would need to retain certain skills and experience. The cost of the redundancy will also be taken into account (including pension costs).

If your application for voluntary redundancy is accepted, the Selection Committee will write to you to notify you of this. You will receive notice to end your employment at the appropriate date.

If you volunteer to reduce your working hours/weeks and this is accepted, you are not entitled to any redundancy payment as your employment would be continuing.

**How does selection for posts in the new structure take place?**

The process used to select and appoint to posts can be through competitive interview, the application of selection criteria (in which case you will need to complete a skills audit form) and/or assessment tests. Information gathered from you via the declared selection methods will provide the sole source of information from which the Selection Committee will make their selection decision. It is therefore important that you engage fully with these methods of selection.

The Selection Committee will apply criteria in relation to the information presented to them. As a result of any selection process you will be notified verbally and in writing whether you have been nominated for redundancy or offered a post within the school structure.

**Selection Criteria**

Where it is anticipated that there will be staff at risk of compulsory redundancy, a range of criteria may be used for selection. The proposed criteria will be the subject of consultation and may include the following:

* Voluntary achievement of reductions

If there are no suitable and acceptable volunteers then the following criteria, which are not in any particular order, will be considered.

A range of criteria may be considered as part of the selection process and the following may be considered:

* Relevant Skills
* Relevant Qualifications
* Relevant Experience
* Area of responsibility
* Evidence from performance appraisals
* Curricular and pastoral needs of the school, with reference to the school improvement plan
* Termination costs

In the vast majority of cases, the above criteria will be sufficient to select individuals for redundancy/offer of a post in the new structure. However, where further criteria are required to select between employees then a pre-determined ‘tie break’ criterion will be used to conclude the process.

The criteria adopted may be given particular priority or weightings.

**What if I am not offered a post in the new structure?**

If it is not possible to offer you any post in the new structure then you will be given notice, both verbally and in writing that your employment will terminate on the grounds of redundancy and you will become eligible to be reconsidered for redeployment.

**Representation and Appeal**

If you are selected for redundancy, you have the right to make representation (present your case) to the Selection Committee and subsequently also to appeal against their decision to the Appeals Committee. You are entitled to bring a Trade Union representative or work colleague with you to both of these meetings.

**Redeployment**

As soon as an individual is notified that they have been accepted for voluntary redundancy or selected for compulsory redundancy, the LA will work with them to seek suitable alternative work. This process will commence even if the individual is making representations/appeal against the decision on the basis that maximum time and effort needs to be given to seeking redeployment.

Both the employer and the employee are required to demonstrate that every reasonable effort has been made to carry this out. Redeployment is subject to a trial period. Unreasonable refusal to undertake a suitable redeployment appointment may result in the loss of any redundancy pay.

Staff selected for redundancy will be offered an individual discussion to provide guidance, information and support in finding suitable alternative employment. The School and Human Resources (Resourcing Solutions team) will support you through this process.

It must be recognised, however, that under Local Management of Schools legislation, each Governing Body is responsible for the employment of its own school’s staff. The Authority can only recommend that individuals be considered for vacant posts and cannot place staff into schools.

Vacancies for potential redeployment may be found on the NYCC website <https://www.northyorks.gov.uk/jobs-and-careers>

Where alternative employment is taken up the individual is entitled to a 4 week trial period in the new post (the time period can be extended for up to a total of 3 months for training purposes only, provided this is made clear in advance of the new post starting and is recorded in writing). Either the employer or the employee can end the employment during or at the end of the trial period if they deem it unsuitable. If the employee unreasonably rejects the new post (or works in it beyond the end of the trial period) a redundancy payment will not be made.

**How is Redundancy Pay calculated?**

**In order to be eligible for any type of redundancy payment the employee must have a minimum of 2 years continuous service (with local government, or other body in accordance with the Local Government Redundancy Modifications Order) at the date the employment terminates.**

The calculationis based on age and length of continuous service and the amount of a week’s pay in the post affected at the date of termination and takes into account a maximum of 20 years service (working backwards in time from the date of redundancy) as follows:

* For service undertaken up to age 21yrs = ½ a weeks’ pay for each completed year of service
* For service undertaken between 22 – 40 yrs = 1 weeks’ pay for each completed year of service
* For service undertaken 41yrs plus = 1½ weeks’ pay for each completed year of service

For example, someone made redundant aged 56 with 25 years of continuous service would be eligible to receive:

15 weeks’ pay x 1.5 = 22.5 weeks

+ 5 weeks’ pay x 1 = 5 weeks

TOTAL = 27.5 weeks’ pay

For redundancy for teachers the statutory limit is applied to the calculation of a week’s pay. *(The statutory limit normally changes annually - £508 as from April 2018). For support staff the calculation of an actual weeks pay is used for both voluntary and compulsory redundancy payments.*

Redundancy payments up to £30,000 are not normally subject to deductions for tax or national insurance.

**An employee selected for compulsory redundancy or accepted for voluntary redundancy will not be entitled to a redundancy payment if they are offered employment with the Authority or an associated employer (as defined by the Local Government Redundancy Modification Order) before their existing contract ends, to commence within 4 weeks of their existing contract ending.** In these circumstances, the new employment would be regarded as continuous service. You will be asked to sign a form (Red 2) to confirm that you understand this requirement.

**What is Continuous Service?**

In Local Authority employment, continuous service includes all unbroken service in any post with this or another Authority and certain other named public bodies coming under the Redundancy Payments (Continuity of Employment in Local Government etc) (Modification) Order 1999 and Amendments (usually referred to as ‘the Modification Order’).

In order to break service there normally needs to be a gap of one clear calendar week when a contract of employment does not exist. However, see the information on the Local Government Modification Order above. A further caveat to this is ‘term-time only employment’, where a gap caused by school holidays is likely to be regarded as a ‘temporary cessation of work’ which does not break the continuity of employment.

‘Casual and relief work’ will not normally count as continuous service unless there is a regular pattern of uninterrupted employment.

**What information and support will be available?**

You can:

* Request a redundancy estimate, (from [NYHR@northyorks.gov.uk](mailto:NYHR@northyorks.gov.uk)) without commitment at this stage
* Request a meeting with the Headteacher and / or HR if you require clarification of any issues
* Seek advice from your Trade Union representative

A copy of the Reorganisation, Redundancy and Redeployment Policy is available from the school upon request.

It is appreciated that redundancy situations can be stressful to those directly and indirectly affected and may impact on both work and personal life. It is advised that you seek support where appropriate.

**Health Assured**

This is a free and confidential support service available for employees of NYCC and their immediate family members and can be contacted via a 24 hour personal support service on 0800 030 5182.

If you are not sure who to contact for support and advice please contact Human Resources or your Headteacher.

### Appendix H1 – Letter to staff following consultation meeting

**Send to all staff affected by a reorganisation that might have/be directly affected by redundancy outcomes, including staff who were unable to attend the meeting for any reason. e.g. sickness, maternity leave, etc.**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**Confidential**

<Name>

<Job Title> ***(if being hand delivered)***

<Date>

Dear <Name>

Further to the staff meeting on **<date>,** I am writing to summarise the main points that were discussed. As you are aware, it has been identified that there is a requirement to restructure the teaching **and/or** support staffing establishment and reduce the staffing establishment at **<name of school>**. This is due to **<give reasons>**.

The meeting was the beginning of the consultation with staff on the school’s reorganisation proposals. The consultation ends on **<date>** and you are asked to submit any comments or proposals to the Headteacher as soon as possible (but in any case by **<end of consultation date>**) for consideration by the Governors’ Selection Committee. Following the end of the consultation period any proposals or comments that you put forward will be considered by the Governors’ Selection Committee, following which final proposals will be communicated to staff and the selection/assimilation process will commence.

The proposed implementation date is **<date>**.

It is the policy of the Governors to seek as far as possible, security of employment for staff. They will, in consultation with staff, the LA and Trade Union representatives, seek to minimise the effect of any reductions or redundancies.

To avoid the necessity to reduce staffing establishment by compulsory means, you are therefore asked to consider the following:-

# Voluntary redundancy

If you wish to apply for voluntary redundancy you should let the Headteacher know in writing as soon as possible, but no later than **<end of consultation date>.** Your application will be considered by the appropriate committee of Governors when they meet after the consultation period has concluded.

Human Resources will provide a personal estimate of voluntary redundancy payment directly to you upon request. By expressing an interest in receiving information you are not committing yourself to volunteering for a redundancy, and the Authority is not committing to the acceptance of any application. If you would like an estimate, please contact [NYHR@northyorks.gov.uk](mailto:NYHR@northyorks.gov.uk).

Please note that there will not normally be any difference in your redundancy estimate, whether redundancy is voluntary or compulsory.

# Voluntary transfer

If you are interested in working in another school in North Yorkshire you should let the Headteacher know and they can approach neighbouring schools to see if they have any vacancies and whether voluntary transfer is a potential option.

# Voluntary reduction in hours

If you wish to consider changes in your working hours, please discuss this with the Headteacher as soon as possible.

# Normal resignation or retirement

If you wish to leave the school, for example in the circumstances of you obtaining another post, then the normal notice periods of your contract apply.

# Timescales

All expressions of interest for voluntary redundancy, voluntary reduction in hours etc, must be made in writing to me before **<end of consultation date>.**

The Governors Selection Committee will then meet to consider any volunteers for redundancy, and other relevant representations put forward during the consultation period.

Should there be insufficient volunteers, or should it not be possible for sound operational reasons to accept volunteers, the Committee will notify you of the selection criteria and selection method to be used to populate the proposed structure. The Committee will subsequently nominate post(s) for compulsory redundancy.

I appreciate that this is a difficult time for all concerned and the school will do all that it can to seek to minimise a situation of compulsory redundancy. It is advised that you seek support where appropriate and you may wish to contact the Health Assured employee assistance programme. This is a free and confidential support service available for employees of NYCC and their immediate family members and can be contacted via a 24 hour personal support service on 0800 030 5182.

If you are not sure who to contact for support and advice please contact Human Resources or your Headteacher.

An information sheet for staff was circulated at the meeting. If for any reason you did not receive a copy of this, then please contact me.

Yours sincerely

<Name>

Chair of the Governors’ Selection Committee

### Appendix H2 – Letter to staff following consultation meeting

**Send to all staff affected by a reorganisation (that does not have redundancy outcomes), including staff who were unable to attend the meeting for any reason. e.g. sickness, maternity leave, etc.**

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**Confidential**

<Name>

<Job Title> ***(if being hand delivered)***

<Date>

Dear <Name>

Further to the staff meeting on **<date>,** I am writing to summarise the main points that were discussed. As you are aware, it has been identified that there is a requirement to restructure the teaching **and/or** support staffing establishment at **<name of school>**. This is due to **<give reasons>.**

The meeting was the beginning of the consultation with staff on the school’s reorganisation proposals. The consultation ends on **<date>** and you are asked to submit any comments or proposals to the Headteacher as soon as possible (but in any case by **<end of consultation date>**) for consideration by the Governors’ Selection Committee. Following the end of the consultation period any proposals or comments that you put forward will be considered by the Governors’ Selection Committee, following which final proposals will be communicated to staff and the selection/assimilation process will commence.

The proposed implementation date is **<date>**.

It is the policy of the Governors to seek as far as possible, security of employment for staff. They will, in consultation with staff, the LA and Trade Union representatives, seek to minimise the effect of any reorganisation.

# Normal resignation or retirement

If you wish to leave the school, for example in the circumstances of you obtaining another post, then the normal notice periods of your contract apply.

# Timescales

The Governors Selection Committee will meet to consider any comments or proposals put forward during the consultation period.

If appropriate the Governors Selection Committee will notify you of the selection criteria and selection method to be used for assimilation purposes.

I appreciate that this is a difficult time for all concerned and the school will do all that it can to seek to minimise the impact on staff. It is advised that you seek support where appropriate and you may wish to contact the Health Assured employee assistance programme.This is a free and confidential support service available for employees of NYCC and their immediate family members and can be contacted via a 24 hour personal support service on 0800 030 5182.

If you are not sure who to contact for support and advice please contact Human Resources or contact your Headteacher.

An information sheet for staff was circulated at the meeting. If for any reason you did not receive a copy of this, then please contact me.

Yours sincerely

<Name>

Chair of the Governors’ Selection Committee

### Appendix H3 – Letter to staff following consultation meeting

**Send to all staff affected by a reorganisation that requires compulsory redundancies to be made, including staff who were unable to attend the meeting for any reason. e.g. sickness, maternity leave, etc.**

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**Confidential**

<Name>

<Job Title> ***(if being hand delivered)***

<Date>

Dear <Name>

Further to the staff meeting on **<date>,** I am writing to summarise the main points that were discussed. As you are aware, it has been identified that there is a requirement to reduce the staffing establishment at **<name of school>**. This is due to **<give reasons>** which directly affects your post of **<insert post title>**.

It is the policy of the Governors to seek as far as possible, security of employment for staff. They will, in consultation with staff, the LA and Trade Union representatives, seek to minimise the effect of reductions or redundancies.

The meeting was the beginning of the consultation on the proposal that has been put forward. The consultation ends on **<date>** and you are asked to have any comments or proposals to the Headteacher as soon as possible for consideration by the Governor Selection Committee. Following the end of the consultation period any proposals or comments that you put forward will be considered by the Governors’ Selection Committee, and then the final proposals will be communicated to you. However, should the proposal remain as it is, you will be issued notice to end your post on **<date>**.

Human resources will provide a personal estimate of compulsory redundancy payment directly to you on request. If you would like an estimate please email [NYHR@northyorks.gov.uk](mailto:NYHR@northyorks.gov.uk).

If you wish to leave the school, for example in the circumstances of you obtaining another post, then the normal notice periods of your contract apply.

If you require any further information or advice please contact the Headteacher.

I appreciate that this is a difficult time and the school will do all that it can to seek to minimise a situation of compulsory redundancy. It is advised that you seek support where appropriate and you may wish to contact the **Health Assured** employee assistance programme. This is a free and confidential support service available for employees of NYCC and their immediate family members and can be contacted via a 24 hour personal support service on 0800 030 5182.

If you are not sure who to contact for support and advice please contact Human Resources or your Headteacher.

Yours sincerely,

**<Name>**

Chair of the Governors’ Selection Committee

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### Appendix I1 - Letter from Governors confirming acceptance of voluntary redundancy

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**Private and Confidential**

<Name>

<Job Title> ***(if being hand delivered)***

<Date>

Dear **<Name>**

I am writing on behalf of the Governors to thank you for your offer of voluntary redundancy with effect from **<termination date>.**

I would like to confirm our acceptance of this offer subject to the condition that the school is still within a redundancy situation on **<date on which notice will be issued>**.

Your formal notice will follow in due course. ***(for maintained/VC schools, the LA must serve official notice. For VA schools the governing body are the employer and must serve notice)***

As you have volunteered to be dismissed by reason of redundancy you have the right to a Representations Hearing and then a subsequent Appeal Hearing, with separate Governors’ Panels, against the dismissal. If you wish to take up this right please let me know in writing within five working days of receipt of this letter. If you do not choose to request a Representations Hearing, you may not then request an Appeal Hearing.

You are entitled to be accompanied by a Trade Union Representative or work colleague to both the representations and the appeals hearings.

You should be aware that if the school’s circumstances change, or another member of staff were to leave which negated the redundancy situation, your application for voluntary redundancy would be reviewed and the decision could be reversed. Redundancy can only be paid where a post is being removed from the establishment.

***(Optional paragraph)*** *As confirmed during the consultation the school require a* ***<insert FTE amount, e.g. 0.6>*** *reduction in* ***<Subject/Key Stage/Teachers/Support Staff>****, therefore the school would like to offer you the* ***<insert FTE amount, e.g. 0.4>*** *post in school if you wish to accept it. If you chose to accept the* ***<insert FTE amount, e.g. 0.4>*** *post you will not be entitled to a redundancy payment and any future redundancy payments would be calculated on 0.4FTE contract. Please ensure that you check what implications this may have on your pensions, etc. and if you wish to accept this offer confirm your decision in writing to me by* ***<date>.***

If you have any queries about this, please contact School’s HR Adviser **<Name>** on **<contact number>**.

If you have any queries regarding any of the above, please do not hesitate to contact me.

Yours sincerely

**<Name>**

Chair of Governors’ Selection Committee

### Appendix I2 - Letter from Governors rejecting voluntary redundancy

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**Private and Confidential**

<Name>

<Job Title> ***(if being hand delivered)***

<Date>

Dear **<Name>**

I am writing on behalf of the Governors to thank you for your offer of voluntary redundancy with effect from **<termination date>.**

Following the consultation period on the staff reorganisation due consideration was given to your request. Under the circumstances it has not been possible to accept your request on this occasion due to:

***(examples)***

* *the pension costs attached to accepting your offer of voluntary redundancy*
* *your subject/key stage specialism/qualification/post still being required within the structure*

If you have any queries regarding any of the above, please do not hesitate to contact me.

Yours sincerely

**<Name>**

Chair of the Governors’ Selection Committee

### Appendix I3 - Letter from Governors regarding next steps if too many volunteers

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**Private and Confidential**

<Name>

<Job Title> ***(if being hand delivered)***

<Date>

Dear **<Name>**

I am writing on behalf of the Governors to thank you for your offer of voluntary redundancy with effect from **<termination date>.**

Following the consultation period on the staff restructure, the Governors’ Selection Committee have received more applications for voluntary redundancy than we can accept.

Therefore the next step will be to apply a competitive process using the Selection Criteria agreed during the consultation period. Please find a copy of the criteria enclosed with a Skills Audit Proforma for your completion by **<date> *(allow 2 working weeks)*.**

The Headteacher will verify the information provided and discuss any points of clarification with you if required. Your Skills Audit will then be anonymised prior to the Selection Committee receiving them. The Selection Committee will then meet to score your Skills Audit against the agreed criteria. The outcome/decisions will then be confirmed to you in writing.

Please note the information you provide should be evidence based and effectively demonstrate your skills and experience in the relevant areas. You should use the proforma provided, and not substitute with your own CV/submission.

If you have any queries regarding any of the above, please do not hesitate to contact me.

Yours sincerely

**<Name>**

Chair of the Governors’ Selection Committee

### Appendix J – Letter notifying staff of the selection criteria and requesting completion of skills audits

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Private and Confidential**

<Name>

<Job Title>

<Date>

Dear **<Name>**

Further to the end of the consultation period the Governors’ Selection Committee have met to review the feedback, consider the situation and finalise the staffing structure (please find enclosed). Unfortunately, it has not been possible to resolve all aspects of the restructure by voluntary means and therefore it is necessary to move to the competitive process.

Following consultation the Governors’ Selection Committee have agreed that the selection criteria and weightings will be as per the attached skills audit document.

In order for the Governors to have the required and up to date information I would request you to complete and return the Skills Audit Form *(****Optional****: and indicate your role preferences within the specific ringfence on the enclosed form)* by **<date*>*** *(allow 2 working weeks)*. Upon receipt of your completed form the Headteacher will verify the information you have provided and will discuss any points of clarification with you if required.

Your Skills Audit form will then be anonymised prior to the Selection Committee receiving them. The Selection Committee will then meet to score your Skills Audit against the agreed criteria. The outcome/decisions will then be confirmed to you in writing.

Please note the information you provide should be evidence based and effectively demonstrate your skills and experience in the relevant areas. If you do not complete the Skills Audit Form you will be scored zero. Acceptance of late submissions will be at the discretion of the Governors’ Selection Committee. You should use the proforma provided, and not substitute with your own CV/submission.

In the event that you are not appointed to one of the posts you would be at risk of redundancy and notice would be given to that effect. However, we would seek to redeploy you to a suitable alternative post, should this be the case.

If you have any queries about this process, or any other aspect of the redundancy situation, please do not hesitate to contact me.

Yours sincerely

**<Name>**

Chair of Governors’ Selection Committee

Enc:

Final staffing structure *(showing posts, not names)*

Skills audit form

Preference form *(if applicable)*

### Appendix K – Skills Audit Proforma

*Please note this is a sample skills audit. You will need to amend the appropriate sections so the form corresponds with the agreed selection criteria for the role, to allow staff to complete this meaningfully*

Skills Audit form

Name: …………………………………… Signed: …………………………………….

Current Post Held: …………………………………………………..

Date: ……………………………………..

*(if applicable)* Post preference – Please indicate your preference for the posts within the ring-fence(s) you are allocated to.

Preference 1:

Preference 2:

Preference 3:

Please complete this form and return it to the Headteacher.

The deadline for return of your Skills Audit is <date>

**Candidate number: ……………. (to be completed by Headteacher)**

**Please Note:**

* **Please use this proforma to provide your information, and do not substitute, or make reference to, your own CV/submission**
* **The Headteacher will validate this proforma (which may involve clarification with the employee on information supplied), before removing the front sheet to anonymise the form, and passing to the Selection Committee for scoring**

**Candidate number: ……………. (to be completed by Headteacher)**

Please complete this form in line with the selection criteria *(****Optional****: for the post(s) you have preferenced)*

Please provide as much information as possible on the areas detailed below to enable the selection panel to score your skills audit effectively.

|  |  |  |
| --- | --- | --- |
| **Qualifications and Training** | **Evidence/Examples** | **Points** |
| *Example: Evidence provided of personal professional learning such as courses relevant to post and explain how this has impacted on your practice* |  |  |
|  |  |  |
| **Experience** |  |  |
| *Example: Experience of working with children with specific individual needs e.g. speech and language, autism* |  |  |
|  |  |  |
| **Skills and Knowledge** |  |  |
| *Example: Ability to demonstrate use of ICT/Technology in supporting learning* |  |  |
|  |  |  |
| **Personal Qualities** |  |  |
| *Example: Give examples of using your initiative such as problem solving, dealing effectively with a challenging situation* |  |  |
|  |  |  |
| **Any other relevant information** |  |  |
|  |  |  |

IN THE EVENT OF SCORES BEING THE SAME, THE TIEBREAKER (AS STATED IN THE SELECTION CRITERIA) WILL BE USED TO DETERMINE THE SELECTION COMMITTEE’S DECISION

### Appendix L – Scoring Matrix for competitive process (Support Staff)

*Please note this is a sample scoring matrix. You will need to amend the appropriate sections so the form corresponds with the agreed selection criteria to support the selection committee in their decision making.*

***SAMPLE* SCORING MATRIX FOR SELECTION FOR REDUNDANCY – SUPPORT STAFF**

**SCHOOL:**

**SELECTION COMMITTEE (names):**

**DATE COMPLETED:**

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| **SELECTION CRITERIA** | **EMPLOYEE 1** | **EMPLOYEE 2** | **EMPLOYEE 3** | **EMPLOYEE 4** | **EMPLOYEE 5** | **EMPLOYEE 6** | **EMPLOYEE 7** |
| **QUALIFICATIONS**  Relevant Teaching Assistant and other qualifications |  |  |  |  |  |  |  |
| **EXPERIENCE**  Recent and relevant classroom experience  Specialisms  (inc. age groups supported) |  |  |  |  |  |  |  |
| **SKILLS AND KNOWLEDGE** |  |  |  |  |  |  |  |
| **SPECIAL NEEDS RESPONSIBILITIES** |  |  |  |  |  |  |  |
| **SUBJECTS SUPPORTED** |  |  |  |  |  |  |  |
| **OTHER RELEVANT INFORMATION** |  |  |  |  |  |  |  |

**Appendix L – Scoring Matrix for competitive process (Teaching)**

***SAMPLE* SCORING MATRIX FOR SELECTION FOR REDUNDANCY – TEACHING STAFF**

**SCHOOL:**

**SELECTION COMMITTEE (names):**

**DATE COMPLETED:**

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| **SELECTION CRITERIA** | **EMPLOYEE 1** | **EMPLOYEE 2** | **EMPLOYEE 3** | **EMPLOYEE 4** | **EMPLOYEE 5** | **EMPLOYEE 6** | **EMPLOYEE 7** |
| **QUALIFICATIONS**  Relevant Teaching  and other qualifications |  |  |  |  |  |  |  |
| **EXPERIENCE**  Recent and relevant teaching experience  Specialisms |  |  |  |  |  |  |  |
| **STAFF DEVELOPMENT UNDERTAKEN in past 5yrs**  **COURSES ATTENDED** |  |  |  |  |  |  |  |
| **MANAGEMENT RESPONSIBILITY** |  |  |  |  |  |  |  |
| **TEACHING & LEARNING RESPONSIBILITY** |  |  |  |  |  |  |  |
| **CURRICULUM AREA/S** |  |  |  |  |  |  |  |
| **SUBJECTS TAUGHT** |  |  |  |  |  |  |  |
| **PASTORAL RESPONSIBILITIES** |  |  |  |  |  |  |  |
| **OTHER RELEVANT INFORMATION** |  |  |  |  |  |  |  |

### Appendix M1 - Send to staff who are in unchanged posts and have been directly assimilated (slotted in)­

### \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Private and Confidential**

<Name>

<Job Title>

<Date>

Dear **<Name>**

**Re-organisation of support and/or teaching staff at <School>**

**- Assimilation/Appointment details**

I am writing to advise you that the proposal to reorganise the **<insert department>** at the School has been agreed following consultation with the recognised trade unions and the affected staff. Feedback from the consultation exercise was taken full account of in the final structure.

The new staffing structure has now been finalised and approved *(****Optional:*** *and is included with this letter)*.

The process of assimilating staff from the existing structure to the new staffing structure will now take place in accordance with the Schools’ Re-organisation, Redundancy and Redeployment Policy.

I am pleased to inform you that your post has been designated as UNCHANGED. This means that you will continue to work to your current job description *(****Optional:*** *with the minor revisions)*, in accordance with your current contract of employment.

***(If appropriate)*** This offer is made provisionally and cannot be confirmed until the reorganisation/ redundancy process has been completed.

***(If appropriate)*** You will not be invited to preference for any of the other posts on the new structure.

Please do not hesitate to contact me if you require any further information.

Yours sincerely

**<Name>**

Chair of the Governors’ Selection Committee

Enc:

***(If required)*** Structure chart

### Appendix M2 - Send to staff who have been assimilated in to a changed post

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Private and Confidential**

<Name>

<Job Title>

<Date>

Dear **<Name>**

**Re-organisation of support and/or teaching staff at <School>**

**- Assimilation/Appointment details**

I am writing to advise you that the proposal to reorganise the **<insert department>** at the School has been agreed following consultation with the recognised trade unions and the affected staff. Feedback from the consultation exercise was taken full account of in the final structure.

The new staffing structure has been finalised and approved *(****Optional:*** *and has been circulated to all staff)*.

The process of assimilating staff from the existing structure to the new staffing structure will now take place in accordance with the School’s Re-organisation, Redundancy and Redeployment Policy.

I have to inform you that your current post is to be deleted from the staffing structure with effect from **<date>**. However, the Selection Committee would like to provisionally offer you the following post with effect from that date:

***(Insert post details - post title, hours, band, TTO/full year, working pattern, etc.)*** Please find Job Description enclosed.

This offer is made provisionally and cannot be confirmed until the reorganisation/ redundancy process has been completed.

Please confirm your acceptance of this provisional offer on the reply slip below and return this to **<name>** by **<date>**. ***(allow 5 working days)***

If you accept this provisional offer you will be issued with a variation letter **or** a new contract of employment in due course to confirm this appointment once the process is completed.

I appreciate that this process can be stressful to staff involved and would like to remind staff of the **Health Assured** employee assistance programme.This is a free and confidential support service available for employees of NYCC and their immediate family members and can be contacted via a 24 hour personal support service on 0800 030 5182.

Please do not hesitate to contact the Headteacher if you require any further information or clarification on the content of this letter

Yours sincerely

**<Name>**

Chair of the Governors’ Selection Committee

Encl. Job Description

I acknowledge receipt of the letter dated **<date>**.

I do\*/do not\* wish to accept the provisional offer of the post of **<post title>** with effect from **<date>**.

\* delete as appropriate

If you do not wish to accept this offer, please indicate the reason for this below:

|  |
| --- |
| I do not wish to accept this offer for the following reasons: |

Name: ………………………………………………………………

Signed: ………………………………………

Date: …………………………………………

### Appendix M3 - Send to staff who have been provisionally offered a new post

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Private and Confidential**

<Name>

<Job Title>

<Date>

Dear **<Name>**

**Re-organisation of support and/or teaching staff at <School>**

**- Assimilation/Appointment details**

Following the selection process undertaken by the Governors’ Selection Committee, I am pleased to offer you the new post of ***(Insert post details - post title, hours, band, TTO/full year, working pattern, etc.)***. Please find Job Description enclosed.

This offer is made provisionally and can not be confirmed until the reorganisation/ redundancy process has been concluded.

Your commencing salary will be £**<Salary>** per annum, at scale point **<scp>**.

You will still be subject to the usual performance management process and incremental review (where appropriate) under this new role.

The date of implementation for the new structure is **<date>** when your new duties will commence.

You will be entitled to a trial period of 4 weeks from this date. *(****Optional:*** *This may be a longer period for training purposes only, if agreed in writing in advance of the commencement of the trial period)*. The purpose of the trial period is to allow both parties time to assess the suitability of the new role. If you unreasonably reject the new post or work in it beyond the end of the trial period, a redundancy payment will not be made. The trial period ends on **<date>** when a meeting will be arranged to confirm whether or not this post is suitable.

I would be pleased if you would confirm your acceptance of this provisional offer on the reply slip below and return this to **<name>** by **<date>**. ***(allow 5 working days)***. You will be issued with a statement of particulars (contract of employment) for signature when it is possible to confirm the offer.

If you wish to discuss any matter in relation to your appointment please contact me on **<number>**.

Yours sincerely

**<Name>**

Chair of the Governors’ Selection Committee

Encl. Job Description

I acknowledge receipt of the letter dated **<date>**.

I do\*/do not\* wish to accept the provisional offer of the post of **<post title>** with effect from **<date>**.

\* delete as appropriate

If you do not wish to accept this offer, please indicate the reason for this below:

|  |
| --- |
| I do not wish to accept this offer for the following reasons: |

Name: ………………………………………………………………

Signed: ………………………………………

Date: …………………………………………

### Appendix M4 - Letter notifying employee that their post has been nominated as redundant

**Note: It is expected that the employee will have had a discussion about this outcome before receiving this written notification**

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Private and Confidential**

<Name>

<Job Title>

<Date>

Dear **<Name>**

Further to our discussion, I am writing to confirm that at a meeting of the Governors’ Selection Committee on **<date>**, the outcome of the restructure/redundancy process was considered and your post of **<post title>** was nominated as redundant. *(****Where appropriate:*** *The selection process that you participated in has unfortunately not resulted in you being offered an alternative post in accordance with your preference)*.

Therefore, as the current occupier of the post of **<post title>** at **<school>** your compulsory redundancy will be effective from **<date>**.

You have the right to make representation to the Governors about this proposal. It is the intention of the Governors’ Selection Committee to consider any such representation you or a representative on your behalf may wish to make. This meeting will be held on **<date, time and venue>**. *(****note:*** *give 10 working days notice)*

Please would you let me know if you intend to make any representation by returning one copy of this letter to me with the bottom portion duly completed, by **<date>. *(within 5 working days of the date of this letter)***

Please note that if you anticipate any difficulty in letting me know your intention by this date, or if you are unable to attend the hearing on the date specified, you should contact me as soon as possible to let me know the reason for this.

Following the Representation Hearing, should you wish to make an appeal against the decision of the Selection Committee, this will be heard by an Appeal Committee, consisting of governors previously uninvolved in this exercise. The date of this Appeal Hearing will be **<give date, time and venue>.** I would also ask you to confirm as soon as possible if this date is convenient.

You are entitled to be accompanied by a Trade Union Representative or work colleague to both the representation and the appeal hearings.

Notwithstanding the above rights of representation and appeal, in order to seek redeployment you must register on the Talent Pool and complete the Internal Talent Pool Registration Form which can be found on the Staff Intranet. To access the Intranet from a non NYCC computer please use the link below and follow instructions: <http://bit.ly/2i5KMXF>.

This is not pre-judging the outcome of any representation or appeal but is designed to make optimum use of the time available. Should you cease to be in a redundancy situation, the redeployment process can be terminated at that point.

*(****Optional:*** *As discussed the school needed to reduce staffing by* ***<insert FTE amount/hours>*** *in* ***<teaching / support staff / subject / key stage>,*** *therefore the school would like to offer you the* ***<insert post details>*** *post in school if you wish to accept it. If you chose to accept this post you will not be entitled to a redundancy payment and any future redundancy payments would be calculated on this new contract. Please ensure that you check what implications this may have on your pension, etc. and if you wish to accept this offer confirm your decision in writing to me by* ***<date>).***

If you would like to discuss the matter with me or have any queries regarding the letter, please do not hesitate to contact the Headteacher. You may also wish to contact Human Resources by calling **<name>** on **<number>.**

Please note that this letter does notconstitute notice of the termination of your employment contract, which, if necessary, will be issued to you by the Local Authority **or** the Governing Body ***(in the case of voluntary aided/foundation schools)***.

Yours sincerely

**<Name>**

Chair of Governors’ Selection Committee.

**NAME……………………………………………………**

I confirm that I have read and understood the contents of this letter notifying me of the proposal of Governors that I have been nominated as redundant from my post as **<post title>** at **<school>.**

Having considered this matter I do\* / do not\* wish to make representation about the proposal

**If you do intend to make representation, please confirm the following:**

I do\* / do not\* intend to attend the meeting to make representation on **<date>.**

\*Delete as appropriate

If attending, please confirm the name and status of any representative who will accompany you.

Name of Representative……………….. ………… Status…………………………….

Signed (employee) ………………………………… Date ………………………………

### Appendix N1 – Letter inviting staff to a Representation Hearing

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Private and Confidential**

<Name>

<Job Title>

<Date>

Dear **<Name>**

Following confirmation of your decision to make formal representation against the decision to nominate your post of **<post title>** as redundant, I am writing to confirm the details of the hearing as notified to you in your outcome letter dated **<date of comp red letter>.**

The meeting will be attended by the Governors’ Selection Committee, **<name of governors>** and a representative from Human Resources, **<name>**.

The meeting will be held on **<details of date, time and venue>**.

*(****If requested:*** *Enclosed is a copy of your individual score as awarded by the Selection Committee upon application of the selection criteria.)*

You are entitled to be accompanied by a Trade Union Representative or work colleague to the representation hearing.

Please let me know if you are unable to attend.

Yours sincerely

**<Name>**

Headteacher

### Appendix N2 - Letter inviting staff to an Appeal Hearing

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Private and Confidential**

<Name>

<Job Title>

<Date>

Dear **<Name>**

Following your representation hearing, and subsequent confirmation of your decision to make formal appeal against the decision to nominate your post of **<post title>** as redundant, I am writing to confirm the details of the hearing as notified to you in your outcome letter dated **<date of comp red letter>.**

The meeting will be attended by the Governors’ Appeal Committee, **<name of governors>** and a representative from Human Resources, **<name>**.

The meeting will be held on **<details of date, time and venue>**.

You are entitled to be accompanied by a Trade Union Representative or work colleague to the appeal hearing.

Please let me know if you are unable to attend.

Yours sincerely

**<Name>**

Headteacher

### Appendix O - Order of Proceedings for Representations and Appeals

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Order of Proceedings for Representations**

1) The Chair of the Governors’ Selection Committee asks those present to introduce themselves, explains the proceedings and confirms that everyone is clear as to how the hearing will be conducted. Explain that an adjournment can be requested at any point during the hearing.

2) The Committee will explain the reason for the post being nominated as redundant and the criteria and information used to make this decision.

3) The individual (and their representative if appropriate) will put forward their representation against the decision to nominate the post as redundant and/or the outcomes of the subsequent process.

4) Questions are put to the Committee by the individual

5) Questions are put to the Individual by the Committee

6) The Individual will be asked to summarise and conclude their representation

7) The individual will be asked to withdraw while the committee consider the representation\*.

8) The individual will be asked to return and the Committee will give its decision and explain the right of appeal.

9) The Committee will confirm its decision in writing.

\* A representative of the Corporate Director – Children and Young People’s Service may remain to advise the Committee

**Order of Proceedings for Appeals**

1) The Chair of the Governors’ Appeals Committee asks those present to introduce themselves, explains the proceedings and confirms that everyone is clear as to how the hearing will be conducted. Explain that an adjournment can be requested at any point during the hearing.

2) The individual or representative briefly explain the grounds on which the appeal has been submitted (i.e. facts of the case, decision taken, procedural fault, or unfair selection)

3) A representative of the Governor Selection Committee will explain the reason for the post being nominated as redundant and the criteria and information used to make this decision.

4) Questions are put to the Governor Selection Committee representative by the Appeals Committee

5) The individual (and their representative if appropriate) put forward their appeal against the decision to nominate the post as redundant and/or the outcomes of the subsequent process.

6) Questions are put to the Individual by the Appeals Committee

7) The representative of the Governors’ Selection Committee will be asked to summarise the reasons for selection and/or the outcomes reached

8) The Individual will be asked to summarise and conclude their appeal

9) Both parties will be asked to withdraw while the Appeals Committee consider the appeal\*.

10) Both parties will be invited to return and the Appeals Committee will give its decision.

11) The Appeals Committee will confirm its decision in writing. This will conclude the internal process

\* A representative of the Corporate Director – Children and Young People’s Service may remain to advise the Committee

### Appendix P – Letter to employee following representation hearing

**To be used where the decision of the Governors’ Selection Committee remains unchanged following the representation hearing**

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Private and Confidential**

<Name>

<Job Title> ***(if being hand delivered, otherwise address)***

<Date>

Dear <Name>

**Representation against selection for redundancy**

Following the representation hearing on **<date>** against the proposal to make the post of **<post title>** at **<school>** redundant, I am writing to confirm the decision of the Selection Committee. You were represented at the hearing by **<Name>** your (trade union representative / nominated colleague). The Selection Committee was advised by **<Name>**. The decision to nominate this post as redundant remains unchanged.

As advised at the outcome of the hearing, I would like to confirm that:

***(Examples, to be tailored to the specific outcomes)***

* The Selection Committee have carefully considered the case for representation that you (and your representative) have put forward
* the skills audits that you *(and the other staff in the competitive process)* completed were re-scored by the Governors’ Selection Committee. This exercise has not resulted in a change to the overall outcome of the process
* the Selection Committee felt the scoring regime applied was fair and gave everyone a chance to gain credit for their attributes.
* the broader restructure/redundancy process observed the requirements of the school’s adopted policy, and the advice of Human Resources was sought throughout.

You have the right to appeal against this decision to the Governors’ Appeals Committee. Should you wish to do so the appeal will be heard on **<date, time and** **venue>** as notified to you on **<date of comp red letter, app M4>.** You are entitled to bring a trade union representative / work colleague with you to the appeal hearing.

Please confirm whether or not you wish to appeal against this decision and the grounds for your appeal, by returning one copy of this letter to me with the bottom portion duly completed by **<date + 5 working days>**.

If you have any further queries, then please do not hesitate to contact the Headteacher.

Yours sincerely

**<Name>**

Chair of the Governors’ Selection Committee

(\*delete as appropriate)

Name …………………………………………….. Post……………………………

School ………………………………………………………………………………..

I confirm that (I wish to / do not wish to\*) appeal against the decision to nominate my post of ………………………………… **(state post)** as redundant.

I will be accompanied by …………………………………………………….

who is a (trade union representative / work colleague\*)

My Grounds for the appeal are:

…………………………………………………………………………………………………..

………………………………………………………………………………………………….

………………………………………………………………………………………………….

………………………………………………………………………………………………….

………………………………………………………………………………………………...

Signed ………………………………………… Date ……………………………….

### Appendix Q – Letter to employee following the appeal hearing

**To be used where the decision of the Governors’ Selection Committee remains unchanged following the appeal hearing.**

**If the appeal is upheld, a bespoke letter will need to be prepared – speak to HR.**

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Private and Confidential**

<Name>

<Job Title> ***(if being hand delivered, otherwise address)***

<Date>

Dear <Name>

**Appeal against Selection for Redundancy**

Following your appeal on **<date>,** against the decision of the SelectionCommittee, Iam writing to confirm the decision of the Appeals Committee.

You were represented at the hearing by **<name>** (trade union / designated colleague). The Selection Committee was represented by **<Name>**. The Appeals Committee was advised by **<name>**.

Having carefully considered all the facts and the information presented from both parties (***Optional:*** and the supporting comments of the Headteacher), I regret to inform you that the Appeals Committee have decided to confirm the original decision that the post is redundant.

The basis of this decision is that the Committee is satisfied that the process adopted by the Selection Committee was both thorough and fair and that the criteria for selection determined by them, following consultation with the Trade Unions, had been applied correctly.

***(Only add additional detail where appropriate, and with HR guidance)***

You will therefore be dismissed from your post as **<post title>** by reason of redundancy with effect from **<date>**.

We will however, continue to seek suitable alternative employment for you through the redeployment process.

This letter is not your formal notice. This will be issued by the LA in due course. ***(or Directly in the case of voluntary aided/foundation schools)***

This concludes the internal process. However, it is with regret that Governors have taken the decision to confirm your post as redundant and would like to take this opportunity to thank you for your service to the school and to wish you every success for the future.

Yours sincerely

**<Name>**

Chair of Governors’ Appeals Committee

### Appendix R – Notice Letter from VA/Foundation Schools

**To be sent by the Governing Body of Voluntary Aided/Foundation schools to redundant staff. Please note the LA can issue notice on the behalf of VA/Foundation schools if you wish**

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Private and Confidential**

<Name>

<Job Title> ***(if being hand delivered, otherwise address)***

<Date>

Dear **<Name>**

This letter is on behalf of **<school name>** (Voluntary Aided) School, to confirm that the Governors’ Selection Committee have considered the redundancy situation regarding the school, and your post of **<post title>** was nominated as redundant with effect from **<insert date>**.

If you would like to discuss the matter or have any queries regarding this decision, please do not hesitate to contact the Headteacher. You may also wish to contact Human Resources, your contact is **<name>**.

Your redundancy payment is estimated to be £**<amount>** based on the information attached. If you believe any of the details to be incorrect please contact me as this could affect your redundancy payment. This includes the element of statutory redundancy pay. This will be paid in the month following your last day of service.

I would be grateful if you would sign and date the attached letter as acknowledgment of receipt of formal notice, and return it along with your completed RED 2 form in the envelope provided.

If you have any queries regarding the above, please do not hesitate to contact me. It is important that you understand the nature of the declaration that you are signing in that: if you accept any offer of alternative employment made by organisations included under the ‘Local Government Modifications Order’, prior to your contract terminating, to commence within 4 weeks of the end of your existing contract, you will become ineligible to receive a redundancy payment.

Yours sincerely,

**<Name>**

Chair of Governors of **<School>**

Name ………………………………………………………

Post ………………………………………………………

School ………………………………………………………

I confirm that I have received formal written notice and the RED 2 form and understand the terms of my notice and redundancy. The completed RED 2 form is enclosed.

Signed …………………………………………… Date …………………………