

Restructure and Redundancy Policy



ST CLARE

Catholic Multi Academy Trust



St Wilfrid's Primary School Mission Statement:

Everybody Matters

Adopted by St Clare Trust Board: March 2025

This Restructure and Redundancy Policy has been approved and adopted by St Clare Catholic Multi-Academy Trust for use in all its schools and the Central Team.

DEFINITIONS

In this Restructure and Redundancy Policy, unless the context otherwise requires, the following expressions shall have the following meanings:

- i. 'School' means any school operated by St Clare Catholic Multi-Academy Trust and includes all sites upon which the school undertaking is, from time to time, being carried out.
- ii. 'Board' means the board of Directors of the Trust.
- iii. 'Local Academy Committee' means the body carrying out the employment functions of the Trust in relation to the school
- iv. 'Trust' means St Clare Catholic Multi-Academy Trust, which is the company responsible for the management of the school and, for all purposes, means the employer of staff at the school.

1. About this policy

- 1.1 A redundancy situation arises when either a role is no longer needed or the activities completed reduce or the organisation ceases or discontinues at that place of work
- 1.2 We will always try to avoid the need for compulsory redundancies but sometimes these may be necessary. The needs of the Trust and/or the school may change, including how we arrange our ways of working to best meet the needs of our business, including the efficient delivery of education to our pupils, changing pupil numbers that may impact the type and content of job roles and numbers of staff employed.
- 1.3 The purpose of this policy is to ensure that, whenever reduction in employee numbers may become necessary the School/Trust will communicate directly with affected employees to ensure that they are treated fairly and consistently and with the wider impacted staff team. We try to find ways of avoiding compulsory redundancies;
 - (a) By consulting with employees and with recognised trade unions and/or employee representatives.
 - (b) any selection for compulsory redundancy is undertaken fairly, reasonably and without discrimination.
 - (c) recognised trade unions will be consulted about any proposed redundancies.
- 1.4 This policy applies to all employees with a contract of employment with the Trust of one of its Schools. It does not apply to agency workers, consultants or self-employed contractors.
- 1.5 The application of this policy will comply with relevant legislation at the time including the special protection provided for those on maternity, shared parental or adoption leave.

1.6 This policy will be reviewed from time to time to ensure that it reflects statutory requirements and our business needs.

1.7 This policy does not form part of any employee's contract of employment, and the Trust may amend it at any time in consultation with the recognised Trade Unions.

2. Management responsibilities for this policy

2.1 The Local Academy Committee has overall responsibility for the effective operation of this policy but has delegated day-to-day responsibility for overseeing its implementation to the Headteacher within schools for staff not working in the Central Team.

2.2 For the Central Team the Trust Board has overall responsibility for the effective operation of this policy and has delegated day to day responsibility for overseeing its implementation to the CEO. To ensure consistency in practice, the policy will be applied with advice from the Trust's HR team and legal advisors.

3. Avoiding compulsory redundancies

3.1 Where redundancies are proposed all affected staff will be consulted on an individual basis and, can be accompanied by their trade unions representative or a work colleague.

3.2 The Trust will consider options that may be taken to avoid the need for compulsory redundancies. Examples could be and include (for illustration purposes only):

- (a) Review of and, where appropriate, reduction of non-staffing costs.
- (b) Reviewing the use of agency staff, self-employed contractors and consultants.
- (c) Restricting recruitment for affected role types or roles that may be suitable redeployment opportunities.
- (d) Reducing overtime in affected departments to that needed to meet contractual commitments or provide essential services.
- (e) Considering the introduction of short-time working, job-sharing or other flexible working arrangements, where these are practicable.
- (f) Natural turnover and staff resignations.
- (g) Not recruiting external candidates to suitable vacancies for redeployment and/or a recruitment freeze.
- (h) Identifying suitable alternative work at the school at which staff ordinarily work or at any other school or other premises operated by the Trust that might be offered to potentially redundant employees.
- (i) Inviting applications for voluntary redundancy. Staff are not obligated to continue with voluntary redundancy after expressing an interest and will be informed of a date to confirm their intention.
- (j) The acceptance of a volunteer for redundancy will be a matter of the Trust's discretion and we reserve the right not to offer voluntary redundancy terms or to refuse an application where it is not in the interests of the Trust and/or school to do so.

- 3.3 Any measures adopted must not adversely affect our business and our ability to deliver education to our pupils.

4. Business Case

- 4.1 A business case will be produced, and this will detail the proposed organisational change.
- 4.2 The business case proposal will include the following:
- (a) Rationale for change
 - (b) Current and proposed staffing structure (including job descriptions, person specifications and salary levels)
 - (c) Identification of new and changed posts
 - (d) Implementation plan
 - (e) Timeline
 - (f) Any salary protection/safeguarding arrangements, as appropriate
 - (g) The appeals process, including specific grounds of appeal
 - (h) Equalities Impact Assessment consideration or detail, as appropriate
- 4.3 The proposed new structure will be assessed for suitability and sustainability, particularly in terms of cost.
- 4.4 Formal approval will be gained on the proposals, in accordance with the Trust's Scheme of Delegation, prior to the implementation of the redundancy proposals.

5. Implementation

Consultation

- 5.1 Where it is organisationally necessary to reduce head count and/or role types, formal consultation will be held with employees directly affected and the recognised trade unions.
- 5.2 The period of consultation will be:
- (a) For less than 20 redundancies – 30 calendar days before any dismissals take effect
 - (b) 20 to 99 redundancies - the consultation will start at least 30 calendar days before any redundancy dismissals take effect
 - (c) 100 or more redundancies - the consultation will start at least 45 calendar days before any redundancy dismissals take effect

- (d) The Trust will carefully consider feedback and confirm the outcomes of the consultation period. Where suggestions are not adopted the reasons for this will be provided in writing.

5.3 The consultation process will include the following:

- (a) The total number of employees impacted of any role description affected at the school/Trust.
- (b) The proposed method of selecting the employees to be made redundant.
- (c) The proposed method of carrying out the redundancies, including the period during which the redundancies are to take effect.
- (d) The method of calculating any compensation to be paid to redundant employees.
- (e) The number of agency workers working temporarily for and under the supervision and direction of the Trust.
- (f) The schools within the Trust where agency workers are working and the type of work they are completing.

5.4 The proposed timeline for the redundancy process, the selection criteria identified in 5.3 above will be decided by the Head teacher/Trust and employees and Trade Unions will be consulted about these.

Pools or individuals at Risk of Redundancy

5.5 In some redundancy situations, there will be a need to select employees for redundancy from a group of employees in the same role. The group of employees is referred to as a 'pool'.

5.6 Where applicable, each employee at risk of redundancy will be scored against selection criteria. The criteria may be assessed by a selection matrix, interview or assessment centre. The School/Trust reserves the right to decide what is the most appropriate method in each situation. Following the selection process affected employees will be informed of the outcome via a one-to-one meeting with the relevant manager and this will be confirmed in writing.

5.7 Once a decision has been reached about who has been provisionally selected for redundancy, the individuals whose roles are no longer being considered for redundancy will be notified in writing.

5.8 Where an individual carries out a specific role which is to be made redundant on their own (i.e. not in a pool), this is referred to as an individual role at risk of redundancy.

6. Making compulsory redundancies

6.1 When it is not possible to avoid making compulsory redundancies, the Head teacher/Trust will advise all affected employees and, where appropriate, recognised trade unions and/or employee representatives that compulsory redundancies cannot be avoided. We will consult recognised trade unions and/or employee representatives on the procedure that will then be followed and the criteria that will be applied.

6.2 Subject to our Equal Opportunities Policy, and specifically the Trust's rights under Section 124A of the School Standards and Framework Act 1998 in carrying out any redundancy exercise, unless permissible and appropriate in the circumstances, we will not discriminate directly or indirectly on grounds of gender, sexual orientation, marital or civil partner status, gender reassignment, race, colour, nationality, ethnic or national

origin, religion or belief, disability or age. Part-time employees and those working under fixed-term contracts will not be treated differently to permanent, full-time comparators.

- 6.3 The criteria used to select those employees who will potentially be made redundant will be objective, transparent and fair and based on the skills and attributes required to meet the existing and anticipated needs of the Trust/School.
- 6.4 We will consult individually with those employees who are provisionally at risk of redundancy, at a first 1:1 consultation meeting. The employee will be given 5 working days' notice of the meeting and have the right to be accompanied by a work colleague not affected by redundancy or a trade union representative.
- 6.5 Employees can comment on this, express their view, and make alternative suggestions to redundancy. They will be advised on how they have scored within any selection criteria. Options available and sign posting them to support and any information about redeployment options will be shared. The outcomes of this meeting and response to any suggestions will be confirmed in writing to the employee.
- 6.6 We will continue to look for suitable alternative employment within the Trust for at risk employees until their leaving date. The procedure and process in which redundant employees will be invited to apply for and be interviewed for vacancies will be organised depending on the circumstances existing at the time. Suitable alternative employment may be offered subject to a trial period where appropriate.

Final Consultation Meeting

- 6.7 Prior to the end of the consultation period, if no alternative to redundancy has been identified the employee will be invited to a Final Consultation Meeting.
- 6.8 The School/Trust will provide at least 5 working days' notice of the Final Consultation Meeting and will set out in writing:
 - (a) the purpose of the Final Consultation Meeting.
 - (b) that the employee's role is at risk of redundancy.
 - (c) that the outcome to the Final Consultation Meeting may be that the employee is made redundant.
 - (d) when and where the meeting will take place.
 - (e) the right to be accompanied by a trade union representative or work colleague not involved in the process.
 - (f) the requirement for the employee to provide, in at least 2 working days before the hearing, all documents that they intend to present at the hearing.
- 6.9 The Final Consultation Meeting will be conducted by the Headteacher/Director. Any documentation that the employee wishes the Headteacher/Director to consider should be submitted at least 2 working days prior to the hearing. The purpose of the Final Consultation Meeting is to consider whether the employee should be made redundant.

- 6.10 The Headteacher should consider the proposed redundancy, and any issues raised by the employee before deciding as to whether to make the employee redundant. The outcome decision will ordinarily be provided verbally and then confirmed in writing within 5 working days of the final consultation meeting.
- 6.11 Where selection for redundancy is confirmed, employees selected for redundancy will be given notice of termination of employment due to redundancy in writing, in accordance with their contract of employment and a written estimate of the payments that they will receive.

7. Appeal

- 7.1 If employees have questions or concerns about any part of the redundancy process, they should be raised and where possible resolved during the consultation period. However, where there are outstanding matters which have not been resolved during the consultation period an appeal can be submitted.
- 7.2 All employees who are served notice of redundancy will be informed of their right to appeal against the redundancy. Employees who wish to exercise this right must put their appeal in writing, clearly stating the basis of their appeal. The appeal must be made within ten working days of receipt of their notice of redundancy. The name of the person the appeal should be sent to, and contact address will be confirmed in the letter serving notice of redundancy.

7.3 Appeal Procedure

- (a) A meeting will be arranged to hear the appeal by the Appeal Manager/or sufficiently senior member of staff appointed by the CEO, depending on the post that is at risk of redundancy.
- (b) The employee will be provided with at least 10 working days' notice of the meeting in writing and will be informed of their entitlement to be represented at the meeting by a colleague or trade union representative.
- (c) The employee will be asked to summarise the basis of their appeal at the appeal meeting and will be asked questions by the Appeal Manager to establish all the facts.
- (d) The Appeal Manager will (if necessary) investigate the points raised in the appeal meeting.
- (e) The Appeal Manager will confirm their findings in writing within 10 working days of the appeal meeting, unless further investigation is needed. Where relevant, the employee will be notified when the follow-up investigation has been concluded and a decision reached. The Appeal Managers decision will be final.

8. Redeployment

- 8.1 The School/Trust will seek to find affected employees a suitable redeployment opportunity within the School/Trust
- 8.2 Where more than one affected employee expresses an interest in a redeployment role, the selection process previously consulted upon, will take place to decide who is offered the role. The selection process and time scales for this will be shared with affected staff once the expression of interest period has closed and affected employees have informed the School/Trust what roles they are interested in, within the new structure.

- 8.3 Alternative employment opportunities will be subject to a four-week trial period. The trial period facilitates the School/Trust assessment of the employee's suitability in the redeployed role, and the employee can decide whether the alternative role is right for them.
- 8.4 The four-week trial period can be extended by written agreement between the School/Trust and the employee. In all cases the trial period can only be extended for up to a further four weeks in exceptional circumstances e.g. to facilitate training.
- 8.5 If an employee accepts the role at the end of the trial period they will be treated as no longer at risk of redundancy and will no longer be entitled to a redundancy payment.
- 8.6 If the alternative role is not acceptable to either party, then the employee's employment will end due to redundancy and the relevant redundancy payment will be made and Pay In Lieu of Notice may be decided.

9. Redundancy Payments

- 9.1 Redundancy payments are based upon the statutory guidelines set out in the Employment Rights Act 1996.
- 9.2 The redundancy payment due to each employee under the statutory redundancy payment scheme depends upon the employee's age and length of service (up to twenty years). This determines the number of weeks' pay due, which is subject to a limit on weekly pay.
- 9.3 To calculate the number of weeks' pay due, the following apply:
- 0.5 week's pay for each full year of service where age during year less than 22
 - 1 week's pay for each full year of service where age during year is 22 or above, but less than 41
 - 1.5 weeks' pay for each full year of service where age during year is 41+
- 9.4 For information on the redundancy payment calculation and current statutory limit on weekly pay, please contact your HR Advisor, or visit <http://www.direct.gov.uk/redundancy.dsb>.
- 9.5 Any redundancy payment due will normally be paid on the next available payroll date following the last date of employment. Payment dates will normally be confirmed to employees in the letter confirming their redundancy.

10. Wellbeing

- 10.1 At risk employees will be sign posted to counselling and employee assistance that has been arranged to support them throughout the process.
- 10.2 Where a group of employees are impacted, the Trust will arrange an inhouse employee assistance event for staff covering job search skills and interview practice and what government agencies to contact.
- 10.3 Reasonable time off with full pay for job search activities will be provided in accordance with statutory requirements upon the production of evidence of the activity.

- 10.4 Affected employees can contact Job Centre Plus regarding the Rapid Response Scheme: [Moving forward with Rapid Response Service](#) and email rrs.enquiries@dwp.gov.uk . You may also be able to access resources and support available via their Trade Union.