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**Southwark Diocesan  
Board of Education  
Multi-Academy Trust**  
Developing Church of England Education

# HR POLICY HANDBOOK

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## ORGANISATIONAL CHANGE POLICY

## 1. Introduction

- 1.1 Each of our Schools will, on a regular basis, review and revise how its employees are deployed in light of changes to pupil numbers, financing, government or diocesan initiatives, change in curriculum and change in subject popularity.
- 1.2 This may lead to organisational redesign that may result in changes to the roles and responsibilities of our employees (including the reduction in value or removal of TLRs or allowances), as well as the number of staff employed.
- 1.3 As the needs and expectations of statutory requirements and other circumstances change, there may be a need to remodel service delivery to match resources and skills against service requirements.
- 1.4 We expect each of our Schools to reduce any redundancies which may occur as a result of organisation change to a minimum, but changes outlined above may sometimes render redundancies unavoidable. This framework sets out our expectations of our Schools.
- 1.5 This framework applies regardless of the number of employees at risk.

## 2. General Principles

- 2.1 We are committed to creating as stable working environment as possible and are looking to reduce uncertainty experienced by employees during periods of transition. We will aim to do this through:-
  - a) Open and transparent decision making processes;
  - b) Clear, timely communication;
  - c) Dealing with change in a sensitive, fair and consistent manner; and
  - d) Maximising opportunities within the Trust for staff redeployment and retention of talent.
- 2.2 We expect each School to seek to:
  - a) Avoid compulsory redundancies where possible and, where this is not possible, to reduce the number of redundancies and mitigate their effects; and

- b) Consider freezes on recruitment, job sharing, reduced hours by mutual agreement, retraining & redeployment and voluntary redundancies as part of a response to financial or curriculum pressures but consistent with the need to deliver the best education possible for all children.
- c) Establish a Governors' Working Group to lead on any organisational change and to delegate appropriate powers to that Group to take decisions on behalf of the local Governing Body. The Group should be made up only of members of the Local Governing Body but may be supported by appropriate members of staff such as the School Business Manager.

## 3. Consultation

- 3.1 We expect each School to be committed to ensuring that full and meaningful consultation takes place with employees and recognised trade union representatives throughout any organisational change process.
- 3.2 For the purpose of any consultation process for organisational change the School must consult as follows:  
NEU, NASUWT, NAHT, GMB, UNISON, Unite, VOICE and ASCL.

This applies even if those unions do not have members in the School.

## 4. Support for Employees

- 4.1 We are committed to supporting employees during period of change and uncertainty and recognise the importance of early and open communication with employees.
- 4.2 Wherever possible, staff in groups which may be affected by changes will be briefed together, with representatives of the recognised trade unions also present.
- 4.3 Staff will then be given the opportunity to discuss their individual situation in confidence and will be able to be accompanied to formal individual meetings if they wish.

## 5. Preparation and Planning

- 5.1 Changes that impact on a large number of people are likely to be tied in with the school's annual planning process. Smaller scale or previously unforeseen changes



will be identified by the Headteacher or senior manager within the School. In either event the proposals must be worked upon by the Governors' Working Group

5.2 We expect that any School preparing for organisational change will produce a Proposals Document in consultation with the Trust's central HR function which contains:

- a) An indication whether Section 188 TLRCA applies to the proposed changes (i.e. 20 or more people at the School affected or when combined with the Trust). Irrespective of whether s188 applies the document should set out that the aim of the consultation is to reach agreement on ways and means of avoiding dismissals, reducing the number of dismissals and mitigating the consequences of dismissals.
- b) Details of proposed changes including the number and descriptions of employees proposed to be dismissed as redundant and the total number of such employees).
- c) If s188 applies, a statement setting out the "suitable information" about Agency Workers namely:
  - "The number of agency workers working temporarily for and under the supervision and direction of the employer.
  - The parts of the undertaking in which they are working.
  - The type work they are carrying out."
- d) The rationale for the proposed changes.
- e) The proposals for collective and individual consultation (see section 3 above) and implementation (including timescale) and including how to ensure consultation takes place with employees on maternity, paternity, adoption or other family leave or off sick and ensures that any notices of termination for teachers are received by the teachers well before the appropriate termination date for teachers.
- f) The proposed selection criteria where there is a pool of potentially redundant employees, whether job matching will be used and whether restricted competitive interviews will be used (see section 6 below).
- g) Details of any skills audit process.

- h) The job descriptions for any revised or new posts.
- i) Details of any voluntary redundancy process noting that there is no guarantee that an applicant for voluntary redundancy will be granted it.
- j) An indication of the basis for calculating redundancy payments. (see section 7 below).
- k) Cost implications (where appropriate) e.g. Gross financial savings, possible strain costs under the LGPS and possible costs of redundancies.
- l) The proposed process for redeployment and advertising vacancies (see section 8 below).
- m) A statement that bumped redundancies (i.e. where a junior colleague is displaced from a role which is not redundant so that a senior colleague whose role is redundant can take that role instead of being dismissed) will be not considered because they run the risk of the senior colleague leaving to find higher paid or higher status employment and leaving the School with a vacancy.
- n) A statement indicating which employees on maternity leave or shared parental leave may be affected and explaining the rights of such employees to be offered any suitable alternative employment. For employees not on such leave we expect Schools to consider suitability for the role on the basis of an interview or assessment.
- o) An indication of the impact of salary safeguarding provisions in the STPCD for those employees for whom the STPCD is a source of contractual terms as a result of either TUPE or post-academy conversion contracts.
- p) An indication of the impact of any salary safeguarding provisions for support staff that may have been transferred to the Trust under TUPE or agreed in post-academy conversion contracts.
- q) An indication of the rights to time off to look for alternative employment and that these will be granted to all employees affected not just those with 2 years service.



- r) Membership of the Appeals Panel (see section 9 below)
- s) A timetable for the process including for provisional dates for appeals. (see Appendix 1 for an outline timetable – this is for guidance only and is not mandatory). The timetable should balance the need to minimise a destabilising period with the need to ensure a fair process is adopted. This should include a minimum period of two weeks notice to unions of any consultation meeting and a minimum of a four week formal consultation period from the date of the first meeting.

5.3 The responsibility for producing the draft Proposals Document will rest with the Governors' Working Group.

5.4 A first draft of the Proposals Document must be approved by Governors' Working Group.

**5.5 We require the first draft Proposal Document to be submitted to our Executive Team for comment and approval BEFORE it is shared with the staff and the unions.**

**6. Selection Criteria**

6.1 We expect all our Schools to use objective and transparent selection criteria appropriate to each particular organisational change aimed at ensuring the School has the best workforce possible to deliver an outstanding education and to ensure:

- a) No indirectly unlawful discriminatory criteria are used.
- b) Compliance with the rules on avoiding less favourable treatment for Fixed Term employees. The non-renewal of fixed term is a dismissal for the purposes of unfair dismissal law.
- c) Where data is used it is verifiable and complete with particular attention to ensure that people off-sick or on maternity leave are not prejudiced.
- d) Reasonable adjustments are considered to deal with disability issues.

Our preference is to use job matching and competitive interviews/assessments rather than scoring matrices.

6.2 As part of the consultation process, we will consult with Trade Unions on the selection criteria to ensure that these are fair, clear and transparent.

**7. Redundancy Payments**

7.1 The Trust expects Schools to honour any contractual entitlement to enhanced redundancy payments.

7.2 The Trust expects Schools to verify whether there is such a contractual entitlement before making any commitment to pay an enhanced redundancy payment.

7.3 In the absence of any evidence of a contractual entitlement, the Trust expects Schools to pay statutory redundancy only (see Appendix 2).

7.4 In cases of applications for voluntary redundancy, the Trust will base the redundancy payment on actual weekly pay instead of restricting it to the upper earnings cap.

7.5 Any payment above the minimum entitlement (whether contractual or statutory) must only be paid in return for the signature of a Settlement Agreement.

**8. Redeployment**

8.1 All external vacancies in our other schools will be advertised on the Trust's website.

8.2 The School will email all the headteachers in the Trust's other Schools to ask them to identify any vacancies which may arise in other Schools before or shortly after the intended termination date.

8.3 Any employee given notice of termination on grounds of redundancy will have the option of their CV being circulated to the Headteachers of other schools by the School. This does not prevent the need for a formal application form for a particular job. It is intended to alert Headteachers to people who may be able to fill upcoming roles.

8.4 Any employee given notice of selection for redundancy will be guaranteed an interview during the notice period for any post for which they apply at another Trust school provided they meet the person specification for the role, after reasonable adjustments are made for any disability.

8.5 An employee who is redeployed will be given a suitable time for a trial period in the new role. Should this not be successful they will revert back to being at risk of redundancy.



- 8.6 Any appointment to a role at another of our schools will be on the basis of the salary offered for that post by that other school.
- 8.7 If an employee is redeployed to another school on a fixed term post, they will at the expiry of that fixed term be treated as being made redundant (subject to further attempts at redeployment) and the cost of any redundancy will be met by the original School.

## 9. Appeals Panel

- 9.1 The Proposals Document should identify the membership of the Appeals Panel and confirm that appeals against dismissal on grounds of redundancy should be presented within 5 working days.
- 9.2 At the point of appeal, the appellant will be provided with relevant anonymised selection data to enable them to prepare and present their case.
- 9.2 The panel should have at least two members. No panel member shall have been a member of the Working Group. No panel member shall be a staff governor on a local governing body.
- 9.3 The panel members shall be drawn from the School's local governing body, the local governing bodies of other Schools in the Trust and the Trust's Board.
- 9.4 The decision of the Appeals Panel is final.



## Appendix 1 Outline Timetable

Governors identify need for Org Change and establish Working Group	
Working Group prepares draft Proposals Document	
Draft PD submitted to Trust Exec Team for approval	
Briefing to staff and unions and circulation of PD	
Collective consultation meetings	
Individual Consultation meetings	
[VR & Skills Audit]	
Revised PD and consultation feedback considered by WG	
Further consultation if appropriate	
[VR & Skills Audit]	
Final PD issued	
Implementation stage (including selection, interviews, redeployment meetings)	
Notice of Redundancy delivered	
Deadline for Appeals	
Provisional date for Appeal Hearing	
Date notice expires	
Date for RPMO declaration	
Date for Redundancy Payments	

Continuous Service (Years)																				
Age	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	
18 <sup>1</sup>	1																			
19	1	1½																		
20	1	1½	2																	
21	1	1½	2	2½																
22	1	1½	2	2½	3															
23	1½	2	2½	3	3½	4														
24	2	2½	3	3½	4	4½	5													
25	2	3	3½	4	4½	5	5½	6												
26	2	3	4	4½	5	5½	6	6½	7											
27	2	3	4	5	5½	6	6½	7	7½	8										
28	2	3	4	5	6	6½	7	7½	8	8½	9									
29	2	3	4	5	6	7	7½	8	8½	9	9½	10								
30	2	3	4	5	6	7	8	8½	9	9½	10	10½	11							
31	2	3	4	5	6	7	8	9	9½	10	10½	11	11½	12						
32	2	3	4	5	6	7	8	9	10	10½	11	11½	12	12½	13					
33	2	3	4	5	6	7	8	9	10	11	11½	12	12½	13	13½	14				
34	2	3	4	5	6	7	8	9	10	11	12	12½	13	13½	14	14½	15			
35	2	3	4	5	6	7	8	9	10	11	12	13	13½	14	14½	15	15½	16		
36	2	3	4	5	6	7	8	9	10	11	12	13	14	14½	15	15½	16	16½	17	
37	2	3	4	5	6	7	8	9	10	11	12	13	14	15	15½	16	16½	17	17½	
38	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	16½	17	17½	18	
39	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	17½	18	18½	
40	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	18½	19	
41	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	19½	
42	2½	3½	4½	5½	6½	7½	8½	9½	10½	11½	12½	13½	14½	15½	16½	17½	18½	19½	20½	
43	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	
44	3	4½	5½	6½	7½	8½	9½	10½	11½	12½	13½	14½	15½	16½	17½	18½	19½	20½	21½	
45	3	4½	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	
46	3	4½	6	7½	8½	9½	10½	11½	12½	13½	14½	15½	16½	17½	18½	19½	20½	21½	22½	
47	3	4½	6	7½	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	
48	3	4½	6	7½	9	10½	11½	12½	13½	14½	15½	16½	17½	18½	19½	20½	21½	22½	23½	

Continuous Service (Years)																				
Age	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	
49	3	4½	6	7½	9	10½	12	13	14	15	16	17	18	19	20	21	22	23	24	
50	3	4½	6	7½	9	10½	12	13½	14½	15½	16½	17½	18½	19½	20½	21½	22½	23½	24½	
51	3	4½	6	7½	9	10½	12	13½	15	16	17	18	19	20	21	22	23	24	25	
52	3	4½	6	7½	9	10½	12	13½	15	16½	17½	18½	19½	20½	21½	22½	23½	24½	25½	
53	3	4½	6	7½	9	10½	12	13½	15	16½	18	19	20	21	22	23	24	25	26	
54	3	4½	6	7½	9	10½	12	13½	15	16½	18	19½	20½	21½	22½	23½	24½	25½	26½	
55	3	4½	6	7½	9	10½	12	13½	15	16½	18	19½	21	22	23	24	25	26	27	
56	3	4½	6	7½	9	10½	12	13½	15	16½	18	19½	21	22½	23½	24½	25½	26½	27½	
57	3	4½	6	7½	9	10½	12	13½	15	16½	18	19½	21	22½	24	25	26	27	28	
58	3	4½	6	7½	9	10½	12	13½	15	16½	18	19½	21	22½	24	25½	26½	27½	28½	
59	3	4½	6	7½	9	10½	12	13½	15	16½	18	19½	21	22½	24	25½	27	28	29	
60	3	4½	6	7½	9	10½	12	13½	15	16½	18	19½	21	22½	24	25½	27	28½	29½	
61 <sup>2</sup>	3	4½	6	7½	9	10½	12	13½	15	16½	18	19½	21	22½	24	25½	27	28½	30	

**Statutory redundancy pay rates:**

These are based on an employee’s age and length of employment and are counted back from the date of dismissal.

Employees get:

- 1.5 weeks’ pay for each year of employment after their 41st birthday
- a week’s pay for each year of employment after their 22nd birthday
- half a week’s pay for each year of employment up to their 22nd birthday

Length of service is capped at 20 years and weekly pay is capped at £525. The maximum amount of statutory redundancy pay is £15,750

<sup>1</sup>It is possible that an individual could start to build up continuous service before age 16, but this is likely to be rare, and therefore the table starts from age 18.

<sup>2</sup> The same figures should be used when calculating the redundancy payment for a person aged 61 and above.

