
SCHOOLS MODEL POLICY - ORGANISATIONAL CHANGE

POLICY STATEMENT:

The local authority and schools have a responsibility to deliver services in the most efficient and effective way possible taking into account changing demands and funding.

Governing bodies with delegated budgets have a responsibility to determine the staffing levels and structure within the school.

It is imperative that the local authority and schools adopt a consistent, transparent, equitable and systematic change process, so that the risk of any legal challenge is minimised.

This procedure provides a flexible framework and guidance for schools to follow when dealing with differing organisational change situations. It ensures that employees are treated fairly and consistently, and that the appropriate consultation takes place with staff, trade unions and professional associations during the change process.

This procedure has been subject to consultation with the relevant trade unions.

This applies to

This Procedure applies to any member of staff engaged under a contract of employment. The procedure does not cover casual or supply staff.

Whilst the Transfer of Undertakings Protection of Employment (TUPE) are part of organisational change they have not been specifically covered in this procedure. TUPE applies where there is a transfer of business or part of a business from one employer to another. When a decision has been made to transfer school employees (as a result of TUPE) then the school will need to follow the necessary legislative requirements, taking advice from their HR provider.

In the event of school closures or amalgamations, a separate procedure will be followed.

This procedure does not apply to potential redundancies arising in or between schools as a result of large scale school reorganisation, amalgamation or closures, which are addressed in the document: *Model Procedure for Handling Closures and Expansions in Schools as a Result of Creating All-Through Primary Schools or Other Restructuring/Reorganisations*.

ROLES & RESPONSIBILITIES:

Under the School Staffing Regulations made under the Education Act 2002, governing bodies have overall responsibility for staffing matters in schools. It is the full governing body which must ratify any proposal to reduce staffing or change the staffing structure.

In dismissal situations, the initial dismissal decisions in most cases can be delegated to the headteacher (under sections 35(8) and 36(8) of the Education Act 2002), but it is invariably the headteacher who undertakes the redundancy selection process set out in this procedure. In these instances it will be governors who take decisions on dismissals and appeals using the normal hearing procedures.

For the purposes of this procedure it is assumed that the headteacher has been delegated responsibility for implementing the reorganisation. However, the responsibility could be delegated to another member of the senior leadership team. The governing body may also consider establishing a working party to consider proposals.

Headteachers are responsible for ensuring that trade union facilities are provided to enable collective consultation and ensuring that appropriate communication and consultation takes place with staff and trade unions/professional associations.

The headteacher should seek support from their HR provider when implementing this policy.

Note: Local Authority attendance and advisory rights

In community, voluntary controlled, community special and maintained nursery schools, the LA through a representative, has a statutory entitlement to attend (which they may decide not to exercise) all proceedings relating to any decision to dismiss a member of staff. Any advice given by the LA representative must be considered by those concerned before a decision is made.

In voluntary aided, trust, foundation and foundation special schools, the LA does not have an automatic statutory right of attendance.

Review

This policy will be reviewed regularly to ensure that it complies with current employment legislation and the requirements of the school.

IDENTIFYING THE ORGANISATIONAL CHANGE NEED

A governing body should review its school staffing structures and staffing levels on a regular basis to ensure that it continues to meet the on-going and future needs of the school. Any changes should be considered with the aim of ensuring that the management and deployment of staff is as effective as possible and provides the best value for money.

When a change is required, the governing body should be clear on the reasons and what the proposed organisational change will look like as well as the timescale for

implementation.

The reasons for any proposed organisational change are likely to fall within one or more of the following:-

- Cost and efficiency savings to be made
- The introduction of new legislation or government guidelines
- Recommendations following reviews of the School Improvement Plan or Ofsted inspection
- Development of partnership arrangements with other schools
- New technology/new ways of working
- Contraction or expansion of the School due to rising/falling numbers on roll.

Any decision to proceed with changes that impact on the staffing levels and staffing structures within a school should be clearly recorded in the minutes of the governing body meeting, together with the reasons identified as well as the timescale for implementation.

TYPES OF ORGANISATIONAL CHANGE:

Reorganisation (no redundancies envisaged):

This can be anything from a small scale restructure affecting a small group of staff to a larger scale restructure affecting the majority of staff within a school. The school should be clear on the reasons why the restructure is necessary and the potential implications for staff. The number of staff affected and the potential impact should be considered when determining the timescales for the restructure.

Where no redundancies are envisaged, the headteacher should consult on the preferred selection method for appointing staff to posts in the new structure as part of the formal consultation process. However, if redundancies are envisaged then this should not happen until a later stage in the process when the options for avoiding/minimising redundancies have been explored and it is clearly established that compulsory redundancies will still be necessary.

Every effort should be made to avoid a redundancy situation and therefore the options for avoiding or minimising redundancies should be explored. There may be occasions during a restructuring process where no redundancies were originally anticipated but an employee/employees later becomes at risk of redundancy due to the post/posts in the new structure being deemed unsuitable. In this event, the headteacher should move to the parallel point in the redundancy process and meet with the employee/employees and their trade union representative at the earliest opportunity to discuss the options open to the school and the employee/employees. Redeployment support should also be commenced without delay.

Reorganisation (redundancies envisaged):

If redundancies are envisaged the redundancy process should be followed from the outset.

In legal terms, a redundancy **only** arises when either there has been, or is going to be:

- A cessation of business
- A cessation of business at the employer's site, or
- A reduction or cessation of work

In practice, redundancy situations in schools often arise where there has been a reduction in budget allocation and / or falling numbers on roll, although other circumstances may also result in the need to reduce staffing.

Where any employee has two or more years' continuous local government service, they will be entitled to a redundancy compensation payment if they are made redundant irrespective of the type of contract they are employed under.

Schools should ensure, as far as possible, the security of employment for all employees during times of change. However, there may be times when the school needs to reduce its staffing levels.

Options to avoid and minimise redundancies

In order to avoid and minimise the number of redundancies (particularly compulsory redundancies), the school will explore the following options

- Not recruiting to vacant posts so that reductions can be achieved through natural turnover
- Reducing agency and temporary staff
- Retraining staff for other posts
- Seeking voluntary solutions (outlined below)

Voluntary Solutions

Prior to compulsory selection for redundancy, the headteacher will ask staff to consider possible voluntary measures that may avoid or reduce the need for any compulsory redundancies. Such measures may include reducing contractual hours, either on a temporary or permanent basis. Staff may wish to move from full-time to part-time hours, flexible or phased retirement, redeployment, retraining or reduce existing part-time hours, or enter into a job-share arrangement. Another option might be to step down to a lower graded post in the structure.

Lastly, individuals may wish to put themselves forward for voluntary redundancy (and early retirement if they meet the qualifying age), or early retirement on the basis of efficiency savings. As with all voluntary measures, the headteacher will need to

consider each case in line with the operational needs of the school, and the associated costs and benefits. The document *Policy for Funding of Redundancy and Premature Retirement for Teaching Staff and Support Staff in Schools* sets out in which instances the local authority will meet redundancy/retirement/efficiency costs, and in which circumstances schools are expected to meet these costs.

Any dismissal on the basis of voluntary redundancy and or early retirement will be decided upon by the headteacher or governing body, as per the procedure. Decisions relating to the funding of redundancy or early retirement will sit with either the headteacher/governing body or the Employment & Appeal Panel (a committee of Council Members), depending on the provisions of the Policy for Funding.

CONSULTATION:

In any organisational change situation consultation is both a legal requirement and essential to the success of the change.

The governing body will normally delegate the process of consultation to the headteacher.

The appropriate recognised trade unions/professional associations will be invited to participate in the consultation process. The headteacher should ensure that meetings are not unduly delayed but should also try to ensure that trade union representatives are available to attend by giving them sufficient notice.

For maintained schools, the headteacher will ensure that the local authority is kept informed at the earliest opportunity of any organisational change process that has the potential to result in redundancies.

Headteachers are responsible for keeping all employees informed about changes throughout the process and should keep a written record of discussions and meetings held. Staff that are on maternity, paternity, adoption, shared parental leave or other long-term absence must also be consulted with throughout the process.

Informal Consultation:

Once there has been governing body approval to proceed with consulting on the organisational change then informal consultation on the proposals should take place as soon as possible with staff and the recognised trade unions.

If redundancies are anticipated, informal consultation must include discussion on ways to avoid or minimise any possible redundancies. This may include initial discussions on potential suitable alternative employment options.

Formal Consultation:

Timescales:

In terms of the timescale for consultation, the headteacher will need to consider the complexity of the proposals when deciding what would be appropriate, fair and legally compliant. The following timescales are given as guidance:

Straightforward restructure involving a small number of staff where no redundancies envisaged:	2 calendar weeks minimum
More complex restructure involving a larger number of staff but no redundancies envisaged:	4 calendar weeks minimum
Restructures/organisational change where redundancies are envisaged.	45 days legal minimum requirement (explore options to avoid/minimise redundancies).

Proposed Organisational Change – Report to Governing Body

Prior to the start of any organisational change process, a ‘Proposed Organisational Change – Report to Governing Body’ document should be completed. Further Guidance and a template report document are contained in Appendix B and C of this procedure.

Whilst it will be necessary to share proposed resourcing plans as part of the consultation process, care must be taken not to pre-empt redundancy selection. There may be occasions where the school are proposing to reduce resourcing in a particular area/department but this will not automatically mean that any potential redundancy selection pool will be confined to just the staff working in that area/department. Should compulsory redundancies become necessary then careful consideration will need to be given to the selection pool and criteria to be applied and this must be subject to additional consultation with staff and unions once alternative options to avoid/minimise redundancies have been explored.

The report should also include any proposed new job descriptions/person specification as appendices. For maintained schools, if the revised job descriptions and person specifications differ from the SCC Generic Job Roles (support employees only) then they will need to be submitted to HR Pay for Job Evaluation and this will need to be factored into the timescales in the preparation stage of the organisational change process.

Meetings:

The headteacher will normally invite all staff who may be affected by the proposals and their recognised trade union representatives to a meeting so that they can formally present the proposals.

The consultation process should be entered into with an open mind and headteachers should be open to suggestions and comments from staff and trade unions.

In addition to the formal consultation meetings that form part of the procedure, employees will have the opportunity to meet, at a later date, individually and/or in groups with the headteacher to make representations or discuss their personal circumstances. If they wish, they may submit their feedback in writing as an alternative to meeting in person.

Trade Union Consultation

School-based and city representatives of the recognised trade unions will be invited to the consultation meetings that form part of the procedure. Where trade union representatives wish to meet with their members collectively prior to or following any such meeting, this will be by agreement with the headteacher. Providing the meeting is outside of working hours, the meeting can usually take place in school.

Union representatives will be advised by the school when it is necessary to implement the procedure, and where it is necessary to progress to each formal stage. Representatives will be invited to make any comments to the headteacher either in writing or by requesting a meeting.

RATIFICATION OF FINAL PROPOSALS:

Once the formal consultation period has come to an end, the headteacher should take the results of the consultation back to the governing body. The headteacher should outline any representation or comments made by staff and/or trade unions and whether they have been accepted or not and the reasons why.

Where redundancies are proposed, trade union representatives will be given the opportunity to attend the relevant part of the governing body meeting in order to make representations before the final proposals are ratified.

If the options for avoiding redundancies cannot achieve all of the required cost savings or staff reductions, the headteacher will meet with staff and the relevant trade unions/professional association representatives to advise that it is necessary to progress with selection for potential compulsory redundancy.

SELECTION PROCESSES:

In any reorganisation situation the selection method applied to determine who is selected for posts in a new structure or who is not will depend on a number of factors such as the size, nature of the reorganisation and groups of staff involved. However, any selection method applied should seek to retain staff who have the required skills and knowledge to contribute to the future success of the school. It is good practice to ensure the following:

- The selection method applied are clear, objective and justifiable
- The pool for selection and the process to be followed should be fully communicated to everybody involved and staff and union representatives must have been given the opportunity to comment on this prior to the selection taking place.

- The selection method is applied in a fair, reasonable and objective manner and should not discriminate against staff on the grounds of sex, race, disability, sexual orientation, gender reassignment, religion or belief, marital or civil partnership status, pregnancy or maternity, age, part-time working, trade union membership, part-time workers.
- That the selection method is not indirectly discriminatory by applying a specific criteria which puts a protected group at a particular, unjustifiable, disadvantage.

It is possible for different selection methods to be applied to different staff groups within the same reorganisation process depending on the nature of the reorganisation and the potential impact on the staff group concerned.

Any restructure must apply the selection method outlined to staff and unions during the consultation process and will usually be implemented from the top down (i.e. starting with the most senior roles first).

The following selection methods should be considered:

Natural Successor Process

The natural successor process will normally apply in situations where posts are unchanged or there are substantial similarities (at least 70%) from the old to the new job description/person specification. Provided the number of employees this applies to does not exceed the number of posts in the new structure then they will be slotted in. In cases where the number of employees exceeds the number of posts, or more than one employee is eligible for slotting in to a specific post, the ring fencing process (outlined below) will apply.

Employees should be given the opportunity to make a Natural Successor claim for posts during the restructuring process. A 'slot in' should not be confirmed to the employee until the deadline for claims to be submitted has passed and it has been established that no other employees are making a claim on that post.

If the role is unchanged then the employee 'slots in' to the post without any need for the assessment process to take place. The employee will then be removed from any further part of the restructuring process and timeline.

Headteachers should ensure that the job description/person specification for the existing post is up-to-date prior to the assessment so that a fair comparison can be made.

Both the headteacher and the employee should individually complete an assessment form to identify whether each criterion in the new role is a substantial, partial or no match. A Natural Successor Assessment Form is contained in Appendix D of this procedure. Evidence should be provided against each of the matching criterion. The headteacher will then meet with the employee to go through and agree the assessment and final percentage score.

If the employee is unhappy with the headteacher's assessment, they have the right to challenge the outcome by raising an appeal to the governing body of the school following the appeals process outlined below.

Employees who are slotted into posts will not be eligible for consideration for appointment to other posts in the restructure process unless the post remains vacant at the end of the process or becomes vacant at a later stage.

Ring fencing

Ring fencing will normally apply when there are more employees than available posts in the new structure. Employees can be considered for ring fencing if they meet the essential criteria of the new role and:

- The duties of their current post are substantially similar (at least 70%) to that of the new post. The grade of the new post needs to be within one grade up or down.
- There are more employees than there are available posts.

To determine which employees in the ring fence pool are selected to the post/posts a selection process should be arranged. Care should be taken to ensure the objectivity of the selection panel and therefore consideration should be given to having an external independent party on the panel such as a headteacher or senior leader from another school (this could also be the school's HR provider)

The competitive interview process should not be used in isolation in the selection process and it is recommended that headteachers also take into account the employee's last appraisal.

Selection matrix

This method would require the headteacher to develop a selection matrix to score the staff in the selection pool against and normally applies in cases where compulsory redundancies are necessary. The headteacher should devise a selection criteria and matrix based on the following criteria:

- Formal qualifications and advanced skills if relevant
- Skills/competence
- Standard of work performance
- Ability to meet future curriculum and school needs

When developing a selection matrix, the headteacher should consider how they can objectively assess each of the criteria that ensures consistency and fairness but is focused on the school's future needs. Consideration will need to be given to the weighting for each of the criteria in terms of its importance and the school's future needs. The selection matrix with proposed criteria and weighting must be shared with staff and unions as part of the consultation process and full consideration should be given to any points raised before the selection process commences.

The headteacher will then score each of the staff in the pool against the selection matrix to determine the selection. As with the ring fencing process, care should be taken to ensure the objectivity of the selection process and therefore consideration should be given to having an external independent party on the panel such as a headteacher or senior leader from another school (this could also be the school's HR provider). Ensuring that the selection criteria do not discriminate against the protected characteristics.

Redeployment

In cases of compulsory redundancy selection within maintained schools, the local authority and the city's schools will endeavour to redeploy any member of staff at risk of redundancy.

The principle objective is to seek to retain experience and expertise within the city's schools, or within the council more broadly. Supporting redeployment, where appropriate, is not only good employment practice, it is also sound financial practice in terms of seeking to avoid redundancy costs where an individual can be successfully redeployed elsewhere in a school or within a council service. This will always be preferable to making an individual compulsorily redundant.

Maintained schools should request that 'at risk' staff complete a Redeployment Profile so that the individual's details can be added to both the Southampton Schools and SCC Redeployment Register.

Non maintained schools in Southampton have the option of placing 'at risk' staff on the Southampton Schools Redeployment Register but not the main SCC Redeployment Register. The Southampton Schools Redeployment Register is emailed to all headteachers across the city on a regular basis. Schools wishing to add staff to this register must email the relevant staff details to hr.payschools@southampton.gov.uk

If an individual is successfully deployed to an alternative post, there is no redundancy, and therefore no redundancy payment.

The redeployment procedure and guidance should be used by schools to ensure that all efforts are fully considered to support employees in being redeployed.

Trial periods

Where posts are the same or deemed to be substantially similar then a trial period will not be necessary. Where as part of a re-structure an employee is offered an alternative role that is not deemed substantially similar or where there is a significant change in terms and conditions i.e. change of hours or work pattern, a 4 week trial period should be agreed. These will allow both parties the opportunity to determine whether the new role is suitable.

Salary Protection

Support staff

If an employee is offered an alternative role at a lower grade as part of a reorganisation process, the SCC salary protection arrangements that are in place at the time the change takes effect will apply.

Teaching staff

The safeguarding salary arrangements under the School Teachers' Pay and Conditions will apply where a teachers' earnings are affected by a restructuring process.

Dismissal

The procedure for hearing proposed dismissals for reason of redundancy is set out in section 2.0 of the *School Model Dismissal & Appeal Procedure*.

If the headteacher undertakes the selection aspects of the redundancy procedure, then any decision to dismiss on grounds of redundancy will be taken by a panel of governors at a dismissal hearing. If the headteacher delegates the selection of individuals for redundancy to a member of their management team, then they can chair any resulting dismissal hearing and make a decision to dismiss.

If the governing body panel confirm a dismissal, formal written notice of redundancy and dismissal will be issued to employees. Where SCC is the Employer then written confirmation of dismissal must come from them.

Notice periods

Dismissal of teachers for the reason of redundancy can only take effect at the end of a school term (30th April, 31st August and 31st December). All teachers are entitled to:

- Autumn term – minimum of two months' notice
- Spring term – minimum of two months' notice
- Summer term – minimum of three months' notice

These are the minimum notice periods a teacher is entitled to and do not replace (unless it is more advantageous than their contractual notice) the statutory entitlement to one weeks' notice pay for each complete year of service (up to a maximum of twelve weeks). For example a teacher leaving at the end of the autumn term that has four years continuous service would be entitled to the minimum notice requirement of two months. However, if another teacher leaving at the same time had fifteen years' service they would be entitled to be paid for twelve weeks' notice (their statutory entitlement, which would be more generous).

Headteachers notice periods are normally three months' notice in the autumn and spring terms and four months in the summer term.

For teaching staff, the above notice periods along with the end of school term leaving dates will need to be factored into the timescales in reorganisations.

A member of support staff may have a contractual right to one weeks' notice, one month, or two months. The employment contracts for individual staff will need to be checked for confirmation of the correct notice period to be applied.

With both teaching and support staff, contractual and statutory provisions will need to be checked for any individual at risk of redundancy as the statutory requirements can often override the contractual notice period (unless the contractual entitlements are more favourable).

Appeals

In restructures where employees are slotted into or appointed to posts that are the same or deemed to be substantially similar there will be no right of appeal.

If an employee is appointed to an alternative role as part of a re-structure that is not deemed substantially similar or where there is a significant change in terms and conditions (i.e. change of hours or work pattern) a right of appeal should be given. The headteacher should meet with the employee (and their union representative) at the earliest opportunity to discuss the concerns and explore options for resolution. If following this, the employee remains unhappy then a governing body appeal panel should be convened. The Appeal will be heard in line with the appeal stage of the *School's Grievance Procedure*.

Employees have the right to appeal a dismissal decision for reason of redundancy. The procedure for lodging and hearing an appeal is set out in section 3.0 of the *School Model Dismissal & Appeal Procedure*.

Fixed Term Contracts

Any individual with over two years continuous service has a statutory entitlement to redundancy payment if their fixed term contract ends in circumstances which constitute redundancy, i.e. a diminished need for work of a particular kind and or in a particular location, or the cessation of a particular kind of work in a particular place. Continuous service refers to continuous local government service, not just service within the current school. Should a support staff employee over 55, who is in the local government pension scheme, be made redundant, this triggers the automatic release of pension benefits and associated costs for the employer. For teachers, the release of pension benefits is discretionary.

When a school is considering reducing staff numbers, selection for redundancy on the basis of fixed term status is only likely to be appropriate in limited circumstances. Where fixed term employees have been brought in specifically to complete particular tasks or to cover temporary increased demand, it is likely that selection for redundancy at the end of a contract could be justified. In any other circumstances permanent and fixed term employees should all be considered together as a group and have selection criteria applied to them in the same way.

Pregnancy and maternity leave

During the 'protected period' (i.e. from the start of pregnancy until the end of maternity leave) unfavourable treatment of a woman due to pregnancy or maternity leave is unlawful. During a reorganisation the headteacher should ensure staff that are on maternity leave are consulted with throughout the process.

A woman on maternity leave has a legal right to return to work. If it is not possible (due to reorganisation) for her to return to her position she has the legal right to a comparable vacant post. The effect of this legal right is that she must be offered any position that is a suitable alternative in preference to other staff. The new job must be suitable and appropriate and not substantially less favourable than the previous contract. This does not mean that an employee in the 'protected period' cannot be dismissed on the grounds of redundancy. Further advice should be sought from HR providers.

Calculating Redundancy Pay

Redundancy and severance pay must be calculated in line with the *Discretionary Severance & Pensions Arrangements Policy*.

Funding of Redundancy/Retirement Costs

In most cases it will be for the school to meet the costs involved with organisational change. Where redundancies or premature retirements are proposed schools must refer to the following document:

Policy for Funding of Redundancy & Premature Retirement for Teaching & Support Staff in Schools

Where a redundancy has been made in accordance with the Schools Model Organisational Change Policy and meets the criteria of the above policy, the headteacher may wish to take a report to the Employment & Appeal Panel (EAP) to seek agreement from the Authority to meet the redundancy (and possibly retirement) costs.

Employment Appeals Panel (EAP)

If a school are looking for support with just the statutory redundancy payment costs only (i.e. compulsory redundancy where employees are under 55 years of age or over 55 years of age but not in LGPS or TPS) then this may be agreed by the relevant Service Directors in the Authority. An EAP report will still need to be prepared outlining the business case and this will need to be forwarded to the Service Director – HR and Organisational Development (copying in the Service Lead – Education & Early Help).

If a school are looking for full support with costs from the Authority (voluntary redundancy and/or pension costs), the headteacher will need to firstly arrange a time slot at the Employment & Appeal Panel (EAP) by contacting the SCC HR Advisory Team. It is advised that this is done at the start of the organisational change process to ensure availability at the appropriate point in the proposed timescales.

Schools should contact the SCC HR Advisory Team to obtain the latest version of the EAP report template and process.

The HR provider for the school should support the headteacher in preparing the EAP report and if required during the EAP process.

The governing body of a school may legitimately decide to turn down a request for voluntary redundancy based on an estimation of the costs involved. However, where compulsory redundancies are necessary, the individual redundancy/premature retirement costs should not be a determining factor in the compulsory redundancy selection process.

Appendix A - Organisational Change Process

STAGE 1 PREPARATION	<ul style="list-style-type: none"> ○ Headteacher prepares 'Proposed Organisational Change – Report to Governing Body' document and presents to Governing Body for approval. ○ Headteacher submits new job descriptions/person specifications for job evaluation (if applicable). ○ Headteacher commences informal consultation process with staff and recognised trade unions. If redundancies envisaged then options to avoid/minimise redundancies should start to be explored. ○ Headteacher arranges meeting with staff and trade unions for first week of formal consultation process. ○ Headteacher sends 'Proposed Organisational Change – Report to Governing Body' along with proposed timescales, structure charts and any new job description/person specifications to staff and recognised trade unions in preparation for formal consultation. 	2 – 6 weeks
STAGE 2 CONSULTATION	<ul style="list-style-type: none"> ○ Headteacher presents proposals at formal meeting with staff and trade unions. ○ Headteacher offers opportunity for staff (with union/colleague support) to meet for individual 1 to 1 meeting. ○ If redundancies envisaged, headteacher continues exploring options to avoid/ minimise redundancies. ○ Headteacher collates feedback and responses to feedback in preparation for governing body meeting. ○ If redundancies proposed, headteacher ensures union representatives invited to relevant part of governing body meeting in order to make any representations before final proposals ratified. 	2 – 4 weeks
STAGE 3 RATIFICATION	<ul style="list-style-type: none"> ○ Governing Body consider feedback against proposals. ○ (If redundancies proposed) governing body consider any final representations from trade union representatives. ○ Governing Body ratify final proposals. ○ Headteacher notifies staff and trade union representatives of outcome of governing body meeting. 	1 week

STAGE 4 IMPLEMENTATION	<ul style="list-style-type: none"> ○ Restructures where no redundancies envisaged: Headteacher commences selection process to appoint to posts in the new structure as per consultation and ratified proposals. This should start with the most senior posts first and work down through the structure. ○ Organisational change (redundancies envisaged): <ul style="list-style-type: none"> ○ Headteacher confirms any approved voluntary measure requests i.e. requests to reduce hours etc. This should include confirming approval in principle of any voluntary redundancy requests (this will not serve as formal notification of redundancy as School Dismissal Procedure will need to be followed as outlined in Stage 6). ○ If compulsory redundancies are now envisaged then the headteacher will draft proposed selection process. This should include details on the proposed selection pool and preferred selection method. ○ Headteacher will share the proposed selection process with staff and trade unions allowing 2 weeks for comments/discussions to take place. ○ Headteacher (with support from HR provider) undertakes redundancy selection. ○ Headteacher advises selected individuals (and their union representatives) of their selection for potential redundancy. This should include sharing their individual selection score and allowing opportunity for comment. 	2 – 6 weeks
STAGE 5 SUPPORT	<ul style="list-style-type: none"> ○ Restructures where no redundancies envisaged: <ul style="list-style-type: none"> ○ Headteachers confirms in writing to staff the post they are slotted/appointed into in the new structure - if applicable cover trial periods and right of appeal. ○ If any appeals are received, the headteacher will make the necessary arrangements for the appeal to be heard (outlined in Stage 6). ○ Headteacher considers development needs of staff in new structure and puts development plan in place. ○ It is recommended that the headteacher undertake a review of the new structure with staff within first term of it being in place so that any concerns/issues can be addressed. ○ Organisational change (redundancies envisaged): <ul style="list-style-type: none"> ○ Headteacher will commence the redeployment support process with staff identified as being at risk of redundancy. The redeployment process is an ongoing process which can run in parallel with an individual's notice period. ○ Headteacher will make the necessary arrangements for a Dismissal Hearing following School Model Dismissal & Appeal Procedure. 	2 – 12 weeks
STAGE 6 DISMISSAL/APPEAL	<ul style="list-style-type: none"> ○ Dismissal hearing: <ul style="list-style-type: none"> ○ Governing body panel hears case for dismissal for reasons of redundancy following School Model Dismissal & Appeal Procedure ○ If upheld, employee issued with notice of redundancy (confirmed in writing) ○ Employee given right of appeal. ○ Appeal hearing: <ul style="list-style-type: none"> ○ Governing Body Appeal Panel convened (different governors from Dismissal Hearing). ○ If appeal against dismissal then follow School Model Dismissal & Appeal Procedure. ○ If appeal against slot in/appointment in restructure then follow appeal stage of School's Grievance Procedure. <p>Redeployment continues throughout to Stage 6 process.</p>	2 – 6 weeks

APPENDIX B - ORGANISATIONAL CHANGE TEMPLATE GUIDANCE

The 'Proposed Organisational Change – Report to Governing Body' document (see below) has been developed to provide Headteachers with a standard template to capture the relevant information required to initiate organisational change. The SCC HR Team and Service Lead – Education and Early Help must be notified at the earliest opportunity if a reduction in staffing is proposed.

The purpose of this template is to ensure that all organisational change and the proposals/options under consideration have been fully considered and will be discussed with our recognised union colleagues. In particular, it is essential that the full impact is known and understood and that if there is a potential impact on staffing, that it is clear that the School has taken all possible action to mitigate against potential redundancies.

Organisational Change Document	GUIDANCE NOTE FOR EACH SECTION
Section 1 – OVERVIEW OF PROPOSED CHANGE	
Comprehensive overview of the context/current situation and the reasons why organisational change is necessary.	<p><i>This section should provide a summary about why the organisational change is necessary and its context: This should include:</i></p> <ul style="list-style-type: none"> - Overview / Introduction / school context - Vision / mission - How will the strategic priorities of the school will be achieved - Expected benefits - Purpose / summary of change reasons and rationale - Anticipated timescales - Consider implementation date / prepare timeline - Schedule governor meetings for ratification - Diarise key dates
Section 2 - BUDGET	
Summary of relevant budgetary information	<p><i>This section should provide a summary of the key financial information which has contributed to these proposals/options being put forward.</i></p> <p><i>Examples of budget pressures to be given e.g. falling pupil roll, reduction in funding / grant withdrawn.</i></p> <p><i>Consider whether the school is in deficit situation, if not in deficit what</i></p>

	<p>would the school budget look like if structure not implemented including any ear marked funds, any measures / savings from other areas of the school budget considered by the school.</p> <p>Give detail of any savings to be sought from elsewhere in the budget if relevant</p> <p>Any other relevant financial information</p>
<p>Section 3 – ORGANISATIONAL STRUCTURE</p>	
<p>Details of any proposed new organisational chart/s.</p>	<p>If there is a proposed impact on the organisation structure – the school needs to provide details of the proposed new structure/s under consideration and its impact on roles, numbers etc.</p> <p>Current structure and the revised structure proposals would need to be shared, structure charts attached to document</p>
<p>Section 4 - POTENTIAL OPTIONS</p>	
<p>Summary of the potential options/proposals under consideration and their expected impact on the school, and potential impacts on other areas within the school.</p>	<p>This section should provide details on the range of options/proposals being considered, and the expected impact of the proposal on all aspects of the school that the change may affect. Indicate preferred option of headteacher if any.</p>
<p>Section 5 – STAFFING IMPACT AND REDUNDANCY SELECTION CRITERIA</p>	
<p>Details of roles identified for potential redundancy and summaries why these roles are at risk:</p> <p>Number and categories of employees who are expected to be affected – (including status, e.g. agency, supply teachers, casuals).</p> <p>Total number of staff in each category</p>	<p>This section should provide a summary of the potential impact on the staffing profile and will provide details of the roles potentially at risk of redundancy and a summary of why these particular roles are at risk.</p> <p>Details of roles that will be deleted and new ones created should be outlined, along with indicative Grades.</p>

	<p><i>Draft job descriptions and person specifications should be appended to this document.</i></p> <p><i>In addition, details should be given of the proposed redundancy pool and selection criteria that would be used if available or details of timescales for agreement of selection criteria.</i></p>
<p>Section 6 – MITIGATING ACTION</p>	<p><i>This section should provide a summary of the potential impact the proposals/options may have on the staffing profile and the proactive measures which have actually been taken or have been considered to avoid compulsory redundancies.</i></p>
<p>The school should clarify the proactive measures that have been taken or are being considered to ensure that every effort is being made to avoid redundancies. The list below highlights the measures that have been considered, but is not exhaustive.</p> <ul style="list-style-type: none"> - recruitment activity (freeze) - agency/temp usage - use of overtime - natural wastage expected (retirement/vacancies) - flexible working - consider the ending of any fixed term contracts - <i>voluntary redundancies – can only be sought once governing body has confirmed that Headteacher can progress with consultation on proposed new structure</i> 	
<p>Section 7 – EQUALITIES IMPACT ASSESSMENT</p>	<p><i>The service will need to provide evidence that a formal equalities impact assessment has been completed to ensure that prior consideration has been given to determine whether the proposals have a disproportionate effect on either gender, black and ethnic minority staff, staff with disabilities and staff of different ages.</i></p> <p><i>The school to consider the impact of the restructure proposals, and share any data regarding staffing profiles,</i></p>
<p>There is a requirement for an impact assessment to be submitted with this document.</p>	

	<p><i>e.g number of known disabled employees in school, age, gender ethnicity profile, and so on.</i></p> <p><i>The school will ensure that the restructure will be managed in a fair and consistent manner, in line with equality legislation. The school will ensure that any selection process will not disadvantage any minority groups. Equal access will be given regarding any voluntary solutions. The school will ensure that the restructure does not have any direct or indirect discriminatory impact</i></p>
<p>Section 8 – NEXT STEPS</p>	<p><i>This will include –</i></p> <ul style="list-style-type: none"> - <i>proposed communications and timeline</i> - <i>attach any proposed communication to staff, unions, wider audience and other stakeholders</i> - <i>any relevant policies/procedures or links to</i> - <i>how can staff feedback</i> - <i>details of union colleagues</i> - <i>1-1 meetings</i>
<p>Set out commencement and conclusion of any statutory consultation period. (This will normally be 45 days as redundancies need to be counted across the whole of SCC including all maintained schools).</p> <p>Possibly set out date final decision to be made.</p>	

APPENDIX C - PROPOSED ORGANISATIONAL CHANGE
REPORT TO GOVERNING BODY

This report seeks confirmation from the governing body that a restructure of _____ needs to be made from <insert date>.

1. Overview
Overview of the context/current situation and the reasons why organisational change is necessary.....
2. Budget
3. Organisational structure
4. Potential options
5. Staffing impact
6. Mitigating action

7. Equalities impact assessment
8. Next steps

If the governing body ratifies the proposed new staffing structure, the Headteacher will seek support of the school's human resources provider to implement the new staffing structure in accordance with the agreed model procedures, with effect from <insert date>.

It should be noted that the governing body are being asked to make a decision about a new staffing structure and will not be involved in decisions about selection of individuals for potential redundancy should this become necessary. Governors may be required to sit on an appeals panel at a later stage in the process.

The Headteacher will carry out the necessary consultation with trade unions and provide support and information for staff affected.

Appendix D - NATURAL SUCCESSOR ASSESSMENT FORM

This form should be completed by the appropriate manager and the employee separately to assess whether there is a substantial match between an existing substantive post and the new post. Once completed the employee and manager should meet to discuss and agree the assessment and final score.

NAME: _____ CURRENT POST: _____
(Please print)

NATURAL SUCCESSOR POST: _____

An individual should be considered a Natural Successor when there is a substantial match (70% or above) between their existing substantive post and the new post.

(please note that this should be substantive posts only – individuals undertaking a post in an ‘Acting Up’ / Temporary capacity should not be considered a Natural Successor for the Acting Up / Temporary role)

The individual should be matched against:

- Job description
- Related skills and experience
- Contractual duties
- Responsibilities to be performed and the level of accountability

To assess natural succession, consider each of the responsibilities, skills and abilities of the new post in turn, using the following form. Please justify decisions in the Comments section:

Substantial Match: This responsibility/task is included within the responsibilities currently undertaken in the substantive post. This should be scored as 1 point.

Partial Match: Elements of the responsibility/task are undertaken in the current substantive post. This should be scored as 0.5.

No match: This responsibility/task is not included in the current substantive post. This should score 0.

JOB DESCRIPTION	SUBSTANTIAL MATCH (1 point)	PARTIAL MATCH (0.5 point)	NO MATCH (0 points)	COMMENTS	SCORE
<i>Example:</i> 1. Maintains SIMS Database	1	-	-	<i>Task required in current role</i>	1
1					
2					
3					
4					
5					
6					
7					
8					
9					
10					
11					
12					
13					
14					

JOB DESCRIPTION	SUBSTANTIAL MATCH (1 point)	PARTIAL MATCH (0.5 point)	NO MATCH (0 points)	COMMENTS	SCORE
15					
16					
17					
18					
19					
20					
Totals:					Overall Score:

To convert the scores to show a percentage match divide the total overall score by the number of points in the job description section and multiply by 100:

(Example, overall score is 15 and total points from job description is 20 then $15/20 \times 100 = 75$ so 75% match)

Percentage Score

70% or above match to be Natural Successor: Yes/No

Additional Comments:

Employee signature: _____ Print name: _____ Date: _____

Manager signature: _____ Print name: _____ Date: _____

Appendix E – Example Selection Matrix

* Please note that this is just an example selection matrix. Any selection matrix would need to be developed considering the school’s future needs and would be subject to consultation with staff and unions before being applied.

Employee Name..... **Current Post**

Skills, experience and work performance	Importance Weighting: 1 - 5 (1=Low 5=High)	Scoring 0-3 0- No evidence/not met 1-Limited evidence/met infrequently 2-Some evidence/partially met 3-Sound evidence/fully met	Score for this section	Scoring determination (specify how the scoring will be determined in each area)
Relevant qualifications (if applicable):				3= 2= 1= 0=
Relevant skills/competence				3= 2= 1= 0=
Standard of work performance:				3= 2= 1= 0=
Ability to meet future school needs:				3= 2= 1= 0=
Total				

Manager’s signature _____ **Print Name** _____ **Date** _____