



HR Service

Diocese of Nottingham Catholic Multi-Academy Trusts

Redundancy and Restructuring Policy and Procedure



**DIOCESE OF NOTTINGHAM CATHOLIC MULTI ACADEMY TRUSTS
REDUNDANCY AND RESTRUCTURING POLICY AND PROCEDURE**

HR Service

Redundancy and Restructuring Policy and Procedure

Contents

	DEFINITIONS	4
I.	INTRODUCTION	5
2.	SCOPE AND PURPOSE OF POLICY AND PROCEDURE	6
3.	RESTRUCTURE AND REDUNDANCY PROCESS.....	9
4.	REDUNDANCY PAYMENTS.....	11
5.	MEASURES TO AVOID REDUNDANCIES.....	11
6.	CONSULTATION	13
7.	EARLY RETIREMENT/VOLUNTARY REDUNDANCY	16
8.	MATERNITY AND FAMILY LEAVE - SPECIAL PROVISIONS.....	17
9.	POOL OF AFFECTED EMPLOYEES DURING A RESTRUCTURE.....	18
10.	MAPPING OF POSTS DURING A RESTRUCTURE AND/OR REDUNDANCY PROCESS	19
11.	EXPRESSIONS OF PREFERENCE.....	20
12.	RING FENCING	21
13.	SELECTION AGAINST CRITERIA FOR POSSIBLE REDUNDANCY	21
14.	CONSIDERATION OF TERMINATION OF EMPLOYMENT–DIRECTORS’ PANEL	23
15.	SUITABLE ALTERNATIVE EMPLOYMENT AND TRIAL PERIODS	24
16.	NOTICE PERIODS	26
17.	APPEALS	27
18.	PAY PROTECTION AND REDEPLOYMENT/RESTRUCTURE.....	28
19.	REDUNDANCY PAYMENTS AND ACCESS TO PENSION BENEFITS.....	29
20.	STAFF ON FIXED TERM/CASUAL CONTRACTS AND REDUNDANCY PAYMENTS.....	29
21.	EMPLOYEE SUPPORT	30
22.	ASSISTANCE FROM THE DIOCESAN EDUCATION SERVICE.....	31
23.	MONITORING	31
	APPENDIX I – METHOD FOR CALCULATING REDUNDANCY PAYMENTS	

DIOCESE OF NOTTINGHAM CATHOLIC MULTI ACADEMY TRUSTS REDUNDANCY AND RESTRUCTURING POLICY AND PROCEDURE

Commitment to equality:

We are committed to providing a positive working environment which is free from prejudice and unlawful discrimination and any form of harassment, bullying or victimisation. We have developed a number of key policies to ensure that the principles of Catholic Social Teaching in relation to human dignity and dignity in work become embedded into every aspect of school life and these policies are reviewed regularly in this regard.

This Restructuring and Redundancy Policy and Procedure has been subject to consultation with the Recognised Trade Unions. It was approved and adopted by the CMAT as detailed below:

Policy Approved by:	Date of Approval
Board of Directors – Our Lady of Lourdes Catholic Multi Academy Trust	12.10.2022
Board of Directors – St Ralph Sherwin Catholic Multi Academy Trust	8.12.2022
Board of Directors – St Thomas Aquinas Catholic Multi Academy Trust	3.11.2022

It will be reviewed after 24 months in consultation with the Recognised Trade Unions.

Signed by Director of the CMAT:

Signed by CEO:

DIOCESE OF NOTTINGHAM CATHOLIC MULTI ACADEMY TRUSTS REDUNDANCY AND RESTRUCTURING POLICY AND PROCEDURE

DEFINITIONS

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

- i. 'CMAT' means the Catholic Multi Academy Trust, that is the company responsible for the management of the Central Team and the Academies and, for all purposes, means the employer of staff within the Central Team and the Academies.
- ii. 'Board' means the board of Directors of the CMAT who are responsible for carrying out the employment functions of the CMAT.
- iii. 'Central Team' means all staff employed in the Central Office functions of the CMAT.
- iv. 'Chair' means the Chair of the Board of the CMAT as appointed from time to time.
- v. 'Companion' means a willing work colleague, a trade union official, an accredited representative of a trade union or other professional association of which the employee is a member.
- vi. 'Diocesan Education Service' means the education service provided by the diocese in which the CMAT is situated, which may also be known, or referred to, as the Diocesan School Commission.
- vii. 'Directors' means directors appointed to the Board of the CMAT from time to time.
- viii. 'Governor' means a member of the Local Governing Body of the School.
- ix. 'Headteacher' means the most senior teacher in the School who is responsible for its management and administration. Such teacher may also be referred to as the Head of School or Executive Headteacher.
- x. 'Local Governing Body' means the Governors appointed from time to time to carry out specified functions in relation to the School as delegated by the CMAT.
- xi. 'School' means the Academy named at the beginning of this Policy and Procedure and includes all sites upon which the Academy undertaking is, from time to time, being carried out.
- xii. 'Working Day' means any day on which an employee would ordinarily work if they were a full-time employee. In other words, 'Working Day' will apply differently to teaching and non-teaching staff. However, part-time and full-time staff will not be treated differently for the purposes of implementing this Policy and Procedure.

DIOCESE OF NOTTINGHAM CATHOLIC MULTI ACADEMY TRUSTS REDUNDANCY AND RESTRUCTURING POLICY AND PROCEDURE

I. INTRODUCTION

- 1.1 The aim of the CMAT is to ensure that the valuable skills, experience and knowledge of our employees are retained wherever possible. The CMAT will always seek to avoid or minimise the need for compulsory redundancies through the steps set out in this Policy and Procedure. However the CMAT also recognises that from time to time there may be the need for organisational change and/or the need to consider redundancies resulting, for example, through a fall in the number of pupils on roll, a curriculum review, reduced funding or the need to review staffing structures to ensure that they remain fit for purpose.
- 1.2 Where redundancy is unavoidable, the CMAT will try to minimise the effect as set out in this Policy and Procedure. Every effort will be made to mitigate the need for compulsory redundancies. Redeployment within the CMAT will be considered prior to dismissal for reasons of redundancy.
- 1.3 The CMAT is committed to ensuring respect, objectivity, belief in the dignity of the individual, consistency of treatment and fairness in the operation of this Policy and Procedure. This commitment extends to promoting equality of opportunity and eliminating unlawful discrimination throughout the CMAT community. Where it becomes necessary to reduce employee numbers, the CMAT will not discriminate on grounds of age, disability, gender reassignment, marital or civil partner status, race, religion or belief, sex, sexual orientation or pregnancy and maternity or, as an employee, having undertaken duties as a trade union or employee representative. *(Note – employees who are selected for redundancy whilst on maternity leave have a separate legal entitlement to be offered any suitable alternative work – see section 8)*
- 1.4 Part time employees will not be treated differently to those working full-time in the application of this Policy and Procedure.
- 1.5 The Headteacher is responsible for determining the required staffing complement and structure for their own School which must be approved by the CMAT. The CEO is responsible for determining the required staffing complement and structure for the CMAT Central Team.
- 1.6 If it is necessary to reduce the staffing complement, the Directors of the CMAT are responsible for determining whether an employee should cease to work at the School/in the Central Team by reason of redundancy. The CMAT HR Team will be responsible for implementing the decision of the Directors and issuing any notices of dismissal on behalf of the Directors.

DIOCESE OF NOTTINGHAM CATHOLIC MULTI ACADEMY TRUSTS REDUNDANCY AND RESTRUCTURING POLICY AND PROCEDURE

2. SCOPE AND PURPOSE OF POLICY AND PROCEDURE

- 2.1 This Restructuring and Redundancy Policy and Procedure applies to employees of the CMAT (hereinafter referred to as an “employee” or “you”). The Policy and Procedure does not apply to supply and agency workers, casual support workers, contractors and those who are ‘self-employed’. However where a supply or casual worker is engaged in regular work for over a year, they may have accrued redundancy rights.
- 2.2 The purpose of this Policy and Procedure is to provide a fair and transparent process to be followed when it becomes necessary to implement organisational change which requires a reduction in the number of staff and/or a change in the staffing structure within the CMAT (within a school or schools and/or within the Central Team) and to ensure that this process is compliant with statutory requirements in relation to consultation, equalities legislation and dismissal procedures and that the recognised Trade Unions have been properly consulted.
- 2.3 The CMAT will, wherever feasible, try to avoid redundancies through measures such as:
- effective financial management and planning;
 - careful workforce planning including vacancy control measures;
 - managing natural wastage;
 - redeployment (where applicable and agreed by the employee) and retraining where possible;
 - managing requests for part-time/flexible working;
 - reduction or elimination of overtime;
 - seeking applicants who may be interested in taking early retirement or voluntary redundancy;
 - termination of the employment of agency and casual workers.
- 2.4 Redundancy is one of the potentially fair reasons for dismissal under the Employment Rights Act 1996 provided that the dismissal is attributable wholly or mainly to the fact that:
- (a) the employer has ceased, or intends to cease, to carry on the business for the purposes of which the employee was employed, or to carry on that business in the place where the employee was so employed;
 - or
 - (b) the requirement for the employee to carry out work of a particular kind, or to carry out it out in the place where they are employed, has ceased or diminished, or is expected to cease or diminish.

DIOCESE OF NOTTINGHAM CATHOLIC MULTI ACADEMY TRUSTS REDUNDANCY AND RESTRUCTURING POLICY AND PROCEDURE

- 2.5 Within the CMAT the surplus staffing situation may involve:
- (a) a unique post or a number of posts being declared redundant
 - (b) a reduction in the number of staff employed to do the same work
 - (c) a reduction in hours and/or a change in the duties and responsibilities where a restructuring process may be appropriate.
- 2.6 This Policy and Procedure **will apply** where major organisational changes are being proposed, examples include:
- (a) reductions to teaching and/or support staff numbers/hours
 - (b) review of the school/CMAT staffing structure
 - (c) major changes to working practices
 - (d) changes to contractual terms and conditions
- 2.7 This Policy and Procedure **does not apply** in the cases of minor organisational changes which form part of day to day management and which do not affect the employee's term and conditions, examples include:
- (a) change of job title
 - (b) change of departmental/team name
 - (c) change of Line Manager

Where such changes are required, the reasons for these will be discussed with the employee and they will be given the opportunity to state their views and suggest an alternative solution. Employees will be given reasonable notice of the change. Advice should be sought from the CMAT HR Team before implementing minor organisational changes.

2.8 **Staff on fixed term/temporary contracts**

- 2.8.1 Where a fixed term/temporary contract ends on the date or completion of the event originally specified, then the employee may be fairly selected for dismissal and there is no need to consider other employees doing similar work. These staff will still be entitled to a fair dismissal process with appropriate notice and access to redeployment opportunities. If the employee has over two years' continuous service they may also be entitled to a redundancy payment.
- 2.8.2 Where a redundancy situation arises as a result of fixed term contracts ending at the expiry of the fixed term, only individual consultation will take place unless it is proposed that 20 or more employees are to be made redundant within a period of 90 days or less.

DIOCESE OF NOTTINGHAM CATHOLIC MULTI ACADEMY TRUSTS REDUNDANCY AND RESTRUCTURING POLICY AND PROCEDURE

- 2.9 In the operation of this Policy and Procedure, the CMAT will seek to :
- (a) communicate clearly with affected employees using methods appropriate to the information being presented such as one to one meetings, team meetings, briefings or written communications;
 - (b) ensure that affected employees are treated fairly;
 - (c) avoid or minimise the need for compulsory redundancies wherever possible;
 - (d) consult appropriately with employees and recognised Trade Unions;
 - (e) ensure that any selection for compulsory redundancy is undertaken fairly and reasonably.
- 2.10 Changes to the procedure may be appropriate, for example, where small adjustments to the staffing structure are being considered. In such cases the CMAT will ensure that consultation takes place with the representatives of the Recognised Trade Unions with a view to seeking agreement on the appropriate process.
- 2.11 The CMAT recognises that open and effective communication, engagement and consultation are key in implementing successful organisational change and will seek to ensure that this takes place on all aspects of organisational change whether or not there is a statutory requirement to do so. The CMAT will seek to involve employees and representatives from the recognised Trade Unions at the earliest possible stage so that affected employees have the opportunity to give thorough consideration to proposals and to ask questions before any formal consultation begins. The CMAT will involve representatives from the recognised Trade Unions in advance of the beginning of any formal consultation period and the proposed measures being shared with employees.

**DIOCESE OF NOTTINGHAM CATHOLIC MULTI ACADEMY TRUSTS
REDUNDANCY AND RESTRUCTURING POLICY AND PROCEDURE**

3. RESTRUCTURE AND REDUNDANCY PROCESS

3.1 Where it is identified that there is a possible need to restructure and/or reduce staffing levels, advice must in the first instance be sought from the CMAT HR Team at the earliest possible stage. Discussions should also take place with the CMAT Finance Team (who will need to provide the potential costs of implementing the proposals) and the CMAT Directors of Performance and Standards as appropriate. The School or Central Team area wishing to undertake the restructure and/or reduce staffing levels will need to provide a written Business Case providing the rationale for the change.

The Business Case should give details of:

- (a) the background explaining why there is a need to restructure and/or reduce the staffing establishment;
- (b) reasons for the proposal (e.g. budgetary, curricular, re-organisation, operational, efficiency etc), including financial information from the CMAT Finance Team;
- (c) benefits of the proposal;
- (d) proposed staffing levels;
- (e) current and proposed staffing structures
- (f) measures already taken or planned to minimise possible redundancies, including staffing and non-staffing and voluntary options considered (see 2.3 above and 5.2 below);
- (g) proposed method of achieving the reduction, where applicable;
- (h) timeline detailing how the restructure would be implemented including time for the consultation stage, required notice periods etc. It should be noted the periods of school closure could affect the timescale required to manage any staffing reduction as periods of school closure will not be included in consultation periods;
- (i) any redundancy entitlements;
- (j) any pension strain costs;
- (k) proposed date by when the restructure and/or reduction will need to have taken place.

3.2 Where the proposed structure contains new support staff posts, job descriptions and person specifications must be prepared by the School/Central Team area and the posts will be subject to Job Evaluation by the CMAT HR Team so that the appropriate details can be included as part of the Business Case. Any new Job Descriptions and Bands will be subject to consultation so will therefore remain 'indicative' until the consultation process has been completed and a further job evaluation exercise may need to take place where changes are made as a result of the consultation.

DIOCESE OF NOTTINGHAM CATHOLIC MULTI ACADEMY TRUSTS REDUNDANCY AND RESTRUCTURING POLICY AND PROCEDURE

- 3.3 The Business Case drawn up in accordance with 3.1 will, in the first instance be discussed with the CEO and then considered by the CMAT Executive Team who may:
- (a) support the proposal in which case the proposal will be forwarded to the CMAT Board via the CMAT HR and Finance Committees for formal consideration by the CMAT Directors. If approved by the CMAT Directors, the proposal will then move forward to the consultation stage (see section 6);
 - (b) reject the proposal in which case no further action will be taken;
 - (c) ask for further information before reaching a decision on the proposal.
- 3.4 In coming to a decision the Executive Committee and the CMAT Directors will take into account all relevant factors such as the agreed School/CMAT Development Plan, present and anticipated management structures, financial implications, anticipated curricular and staffing needs.
- 3.5 When major organisational change is being considered, whether or not this involves potential redundancies, the CMAT will engage with the recognised Trade Unions at an early stage to make them aware of the proposals. As detailed in 2.11 above, the CMAT will involve representatives from the recognised Trade Unions in advance of the beginning of any formal consultation period and the proposed measures being shared with employees.
- 3.6 If it is necessary to reduce the staffing complement, the Directors' Dismissal Panel acting for the CMAT Board is responsible for determining whether an employee should cease to work at the CMAT by reason of redundancy. The CMAT HR Team is responsible for the administration of the dismissal of an employee where the Directors' Dismissal Panel has determined that an employee should no longer work at the CMAT by reason of redundancy.
- 3.7 All employees involved in recruitment and selection within the CMAT are responsible for considering potentially redundant employees from other areas within the CMAT for suitable vacancies in their own area.
- 3.8 If at any time throughout the redundancy process the necessary reduction in staff can be achieved through natural wastage such as by resignations or retirements, the redundancy process will be terminated and the relevant staff will be informed of this in writing by the CMAT HR team.

DIOCESE OF NOTTINGHAM CATHOLIC MULTI ACADEMY TRUSTS REDUNDANCY AND RESTRUCTURING POLICY AND PROCEDURE

4. REDUNDANCY PAYMENTS

- 4.1 The CMAT will pay redundancy payments based on the higher of either gross week's pay (i.e. the statutory cap will not apply) or statutory entitlements. Redundancy payments are based on an individual's age, gross weekly pay (or statutory entitlement where higher) and the length of service (subject to a maximum of 20 years' service as set out in Appendix I). Further details are also provided in Section 19 below.
- 4.2 The CMAT will ensure that any severance payments comply with Education Funding Agency (EFA) requirements and are made in accordance with the provisions of the ESFA Academies Handbook.

5. MEASURES TO AVOID REDUNDANCIES

- 5.1 To try to minimise the risk of having to make redundancies, the Schools and Central Team within the CMAT will continually review their needs with regard to staffing. The CMAT has in place an ongoing process of vacancy management so that whenever a vacancy occurs through retirement or resignation, a request to fill the post must be formally made and considered by the CMAT before the post can be advertised.
- 5.2 All possible measures to avoid compulsory redundancies will be explored in consultation with the CMAT HR Team, the CMAT Finance Team and the CEO and/or Directors of Performance and Standards as applicable. Measures could include, but are not limited to:
- (a) reducing the use of agency/supply staff;
 - (b) restriction or suspension of recruitment and/or filling vacancies from among existing employees;
 - (c) cessation or reduction of overtime;
 - (d) cessation or reduction of casual contracts;
 - (e) agreeing to a voluntary contractual reduction in hours for an employee for a number of employees (following a request by the employee(s) concerned);
 - (f) filling vacancies from among existing employees;
 - (g) retraining and/or voluntary redeployment of employees within the CMAT;
 - (h) seeking volunteers for early or phased retirement/ or voluntary redundancy as part of the Consultation;
 - (i) review of other methods of reduce expenditure.

**DIOCESE OF NOTTINGHAM CATHOLIC MULTI ACADEMY TRUSTS
REDUNDANCY AND RESTRUCTURING POLICY AND PROCEDURE**

- 5.3 Where invited, expressions of interest from employees for voluntary redundancy (for which employees will be provided with an estimate of redundancy pay – see 7.1 below) or early or phased retirement may be submitted. Requests must be made in writing will be considered on a case by case basis. A written response giving the CMAT's decision will be provided to the employee by the CMAT HR Team. The inclusion of any employee in a 'volunteer' pool does not of itself guarantee that a request will be granted and the CMAT will always be mindful of affordability and the need to retain key skills when considering any voluntary requests. Selection between volunteers will be necessary if there are too many volunteers using fair and objective criteria. Any expressions of interest, including redundancy pay calculations, do not commit an employee to taking early retirement or voluntary redundancy.
- 5.4 Any changes in posts will be confirmed in writing by the CMAT HR team and where appropriate new contracts or variations to contracts will be issued.

DIOCESE OF NOTTINGHAM CATHOLIC MULTI ACADEMY TRUSTS REDUNDANCY AND RESTRUCTURING POLICY AND PROCEDURE

6. CONSULTATION

- 6.1 When minor organisational changes are being proposed, as mentioned in section 2.7, informal consultation with individuals or teams may be appropriate. However when major organisation change is being proposed with or without the possibility of redundancies, the CMAT will always consult formally with employees and the recognised Trade Unions. Meaningful consultation with all the recognised Trade Unions will take place irrespective of the whether or not the employees are members of a Trade Union and/or whether the proposals affect a particular group of staff.
- 6.2 Consultation will take place throughout the restructuring and/or redundancy process. At all times compulsory redundancies will remain the last option to be considered if reducing the number of staff is a requirement.
- 6.3 The objectives of the CMAT consultation under this Policy and Procedure will be to:
- (a) seek the views of employees and their representatives to the proposals through full and meaningful collective and individual consultation to ensure that possible adjustments to the proposals, in the light of comments received during the consultation process, can be carefully considered and implemented where appropriate;
 - (b) seek to avoid the need for redundancies wherever possible;
 - (c) where (b) above is not possible, to seek to reduce the number of any employees who are to be made redundant to a minimum and to mitigate the consequences of any dismissals;
 - (d) consult on the criteria to be used to select employees for redundancy where applicable.
- 6.4 The CMAT HR Team will write to representatives of the relevant recognised Trade Unions explaining the rationale for the proposed restructure and/or redundancies and notifying them of the dates for the staff consultation meeting(s). A copy of the Business Case will also be provided. Trade Union representatives will be offered a consultation meeting on the proposals prior to the staff consultation meeting.
- 6.5 Staff who are potentially affected by the proposals will be invited to attend consultation meetings with the Headteacher or their nominated representative from the Senior Leadership Team and/or a member of the CMAT Executive Team (as applicable). A member of the CMAT HR team will also attend the meeting to provide advice. Either with the invitation or at the meeting itself, employees will receive a copy of the Business Case together with the copy of this Policy and Procedure.

DIOCESE OF NOTTINGHAM CATHOLIC MULTI ACADEMY TRUSTS REDUNDANCY AND RESTRUCTURING POLICY AND PROCEDURE

- 6.6 At the staff consultation meetings details will be provided on how employees can give feedback on the proposals and how they can access support.
- 6.7 Employees, especially any who have been provisionally selected for redundancy, will also be given the opportunity to have further individual meetings on request to discuss any ideas, queries or concerns that they might have. Individual employees will have the right to be accompanied by a Trade Union representative or a work colleague at any individual meeting to discuss potential redundancy or redeployment
- 6.8 A member of the CMAT HR Team will attend any consultation meeting with Trade Union representatives and/or staff and note the main discussion points and any agreed outcomes/actions.
- 6.9 **Length of formal consultation period**

Number of employees it is proposed to dismiss at 'one establishment' within 90 days	Statutory minimum length of formal consultation period
100 or more	45 days
20-99	30 days

The definition of 'establishment' within the legislation is unclear but in recognition of the purpose of the law, a single establishment within the CMAT will be deemed to be an individual School, with the Central Team also forming a further single establishment.

There is no statutory minimum period where it is proposed to dismiss 1-19 employees at an establishment within 90 days or for restructurings which do not result in possible redundancies. However, to ensure meaningful consultation, the CMAT will ensure that comments on the proposals should be sought within a reasonable timescale as follows:

Restructure with no proposed redundancies

Minimum of 10 working days excluding school closure periods

Proposed redundancies (1-99) with or without a restructure

Minimum of 30 working days excluding school holiday periods

- 6.10 Where possible, the CMAT HR Team will communicate details about possible major organisational change to employee and representatives from the recognised Trade Unions at the earliest opportunity and this will take place prior to the formal consultation period.

**DIOCESE OF NOTTINGHAM CATHOLIC MULTI ACADEMY TRUSTS
REDUNDANCY AND RESTRUCTURING POLICY AND PROCEDURE**

- 6.11 The CMAT HR team will be responsible for starting a consultation required under Section 188 of the Trade Union and Labour Relations (Consolidation) Act 1992 by writing to/emailing affected employees and the representatives of all the recognised Trade Unions irrespective of whether or not the planned reduction will affect teaching or support staff.
- 6.12 The CMAT will provide the following information:
- (a) reasons for the proposed redundancies;
 - (b) current and projected budget information;
 - (c) number and descriptions of employees the CMAT proposes to make redundant;
 - (d) total number of employees of those descriptions employed by the establishment in question;
 - (e) current and proposed staffing structures;
 - (f) proposed method of selecting those who may be dismissed;
 - (g) proposed method of carrying out the dismissals, including the period over which the dismissals are to take effect;
 - (h) proposed method of calculating any redundancy payments/entitlements;
 - (i) number, types and locations of agency workers currently engaged by the CMAT;
 - (j) an Equality Impact Assessment to examine the implications of the proposals.
- 6.13 Where there is a proposal to dismiss 20 or more employees as redundant at one establishment within a period of 90 days or less, the CMAT HR Team will be responsible for the statutory completion and return of Form HRI to the Redundancy Payments Service (RPS) and for providing a copy to the representatives of the recognised Trade Unions.
- 6.14 The CMAT HR team will ensure that affected employees who are on maternity/adoption leave, shared parental leave and long term sickness absence are also formally consulted with and have appropriate arrangements put in place such as invitations to meetings, sending information to home addresses, email etc and that they are given the opportunity to discuss any concerns.
- 6.15 There may be occasions when the proposal is for example to reduce management responsibilities (such as TLR roles) but not the number of employees. In such instances there will be a consultation/re-structuring exercise rather than a redundancy process.

DIOCESE OF NOTTINGHAM CATHOLIC MULTI ACADEMY TRUSTS REDUNDANCY AND RESTRUCTURING POLICY AND PROCEDURE

- 6.16 Circumstances may change during the consultation period when ways of mitigating redundancies can be identified, for example, where a resignation occurs. Where there is no longer a requirement to make redundancies, the HR Team will write to all parties, including the recognised Trade Unions and notify them.
- 6.17 Following the consultation with the potentially affected employees and their Trade Union representatives, the final proposals will be taken to the CMAT Board, or as delegated, for final approval. Written representations from employees affected and from Trade Union representatives will also be presented and the CMAT Board will be invited to ratify the proposals either with or without amendments in the light of the views of employees and their Trade Union representatives.
- 6.18 Following ratification by CMAT Board, the HR Team will write to all relevant staff and the recognised Trade Unions to inform them of the outcome, to consult on the process of implementation and, where applicable, to discuss any potential voluntary solutions see section 5 above – Measures to Avoid Redundancies.

7. EARLY RETIREMENT/VOLUNTARY REDUNDANCY

- 7.1 There is no automatic right to early retirement/voluntary redundancy but the CMAT may, at its discretion, seek expressions of interest in either or both of these in certain affected groups of employees. Where this occurs employees will receive a written estimate of their individual entitlement in respect of Voluntary Redundancy as soon as possible after the date they formally express an interest and will be given at least 10 working days to consider such an option.
- 7.2 If more employees volunteer for early retirement and/or voluntary redundancy than are required to meet the reduction in staffing structure, the CMAT HR Team will seek to develop, in consultation with the recognised Trade Unions, criteria for determining which staff need to be retained to best maintain the balance of expertise needed in the area concerned.
- 7.3 As a voluntary redundancy is a dismissal, where this has been approved, notice will be issued in line with the employee's contractual notice requirements (see section 16) and employees will have the right of appeal against the dismissal.
- 7.4 Volunteers for early retirement/voluntary redundancy will not render themselves more liable than other employees for selection under the compulsory procedures.

DIOCESE OF NOTTINGHAM CATHOLIC MULTI ACADEMY TRUSTS REDUNDANCY AND RESTRUCTURING POLICY AND PROCEDURE

8. MATERNITY AND FAMILY LEAVE – SPECIAL PROVISIONS

- 8.1 Pregnant employees, or those on maternity, paternity, adoption or parental leave may still be included in a pool for selection for redundancy and employees who are pregnant or on maternity leave will be invited to consultation meetings and considered for redeployment. However pregnancy or absence on maternity, adoption or any parental leave must not be used as a selection criterion for redundancy.
- 8.2 Where an employee has already commenced their maternity/adoption leave and are selected for possible redundancy, they **must** be offered any available suitable alternative employment even if it means they are treated more favourably than other employees who are also at risk of redundancy and without having to compete for a post if there is more than one suitable candidate. This applies even if another employee is better qualified for the post in question. For this clause to apply:
- (a) the employee who is on maternity/adoption leave must be capable of doing the work;
 - (b) the place where they are required to work and all the other terms and conditions of employment must be suitable (see section 15 on suitable alternative employment).
- 8.3 This preferential treatment outlined in 8.2 above applies at the point of implementation, for example:
- The point at which redundancy notice letters are being issued confirming who is being made redundant **or**
 - When the selection procedures are commencing which would affect the employee on maternity or adoption leave.
- 8.4 Employees who are on maternity leave or adoption leave during formal consultation but who return to work at the point of implementation/selection are not entitled to this preferential treatment. However, Line Managers must ensure that these employees are fully engaged during the consultation period.
- 8.5 The CMAT HR team will ensure that any employee who is made redundant while absent on maternity leave receives written reasons for their dismissal whether this has been requested or not.
- 8.6 Any employee who is made redundant while on maternity/adoption leave will still be entitled to a notice payment in line with their contract of employment even if they are made redundant whilst on leave.

**DIOCESE OF NOTTINGHAM CATHOLIC MULTI ACADEMY TRUSTS
REDUNDANCY AND RESTRUCTURING POLICY AND PROCEDURE**

9. POOL OF AFFECTED EMPLOYEES DURING A RESTRUCTURE WITH OR WITHOUT A REDUNDANCY PROCESS

9.1 Teaching Staff

In relation to teaching staff, for the purposes of this Policy and Procedure, 'work of a particular kind' in a Primary School setting will normally include all Teachers within the School regardless of whether the restructure/area of reduction has been identified as a specific Key Stage. In a Secondary School setting 'work of a particular kind' may be defined according to a distinct subject area and therefore it may be possible to define a 'pool' as those Teachers who working within a specific department/subject area.

9.2 Support Staff

For support staff, the pool of affected employees will be defined by the Headteacher or Line Manager (for the Central Team) having regard to the type of work that is reducing and following advice from the HR Team.

All staff

- 9.3 Any identified 'pool' should include employees who are absent through illness, maternity/adoption leave or on secondment.
- 9.4 The explanation and rationale for the proposed pool must be shared with the employees and Trade Unions during consultation.

**DIOCESE OF NOTTINGHAM CATHOLIC MULTI ACADEMY TRUSTS
REDUNDANCY AND RESTRUCTURING POLICY AND PROCEDURE**

10. MAPPING OF POSTS DURING A RESTRUCTURE AND/OR REDUNDANCY PROCESS

- 10.1 Once the pool has been identified, posts in the current staffing structure should then be compared with those in the new staffing structure. Posts should be classed as one of the following:
- (a) **unchanged** – the post remains the same or substantially the same with the same hours and grade.
 - (b) **unchanged but ‘at risk’** – although the post remains more or less the same with the same hours and grade, the number of like posts are reduced in the new staffing structure resulting in there being more individuals than posts and therefore there is a potential risk of redundancy;
 - (c) **changed** - the post has changed considerably;
 - (d) **removed** – the post ceases to exist on the new staffing structure for example where a service or work of a particular kind is being discontinued or reduced;
 - (e) **new (where applicable)** – a new job where there is no equivalent in the current structure.
 - (f) **vacant** - the post remains the same in the new structure but was vacant in the current structure.
- 10.2 Where an employee’s post is classed as ‘unchanged’ and where the number of like posts remain the same or is increased in the new staffing structure an employee will be slotted in without the need to go through a selection process.
- 10.3 Where an employee’s post is classed as ‘changed’ or ‘removed’, this potentially places them at risk of redundancy.
- 10.4 In order to assess comparability to posts within the new structure, current and the new job descriptions should be used to make objective, accurate decisions. However if the current job descriptions do not exist or are out of date, the CMAT will ensure that comparability decisions are based on accurate and comprehensive information. This will be done either by drawing up an up to date job description with the employee and their Line Manager or by ensuring that an Appendix is added to their current job description detailing any agreed amendments which need to be taken into account during the matching exercise.
- 10.5 The matching exercise will be undertaken independently by a minimum of two people. Decisions must be based purely on factual and objective reasoning which can be justified and evidenced.

DIOCESE OF NOTTINGHAM CATHOLIC MULTI ACADEMY TRUSTS REDUNDANCY AND RESTRUCTURING POLICY AND PROCEDURE

- 10.6 If an employee disagrees with the matching decision made, they will have an opportunity to meet with at least one of the employees or Directors who conducted the matching exercise to explore and discuss the rationale. Employees are entitled to be accompanied at such a meeting by a Trade Union representative or work colleague.

10.7 **Employees who are acting-up/seconded to a post**

An employee who is acting-up/seconded to a post and who has another job in the school that is their substantive post (i.e. not an acting up or secondment position) will be assessed against the criteria in relation to their substantive post and not the acting-up or seconded post.

10.8 **Employees who are temporarily undertaking additional duties**

Where an employee is temporarily undertaking additional duties in their substantive post, these will not normally be taken into account during the matching exercise.

11. EXPRESSIONS OF PREFERENCE

- 11.1 At the end of the consultation period, all affected employees who are matched to more than one post will be required to complete an 'Expression of Preference' Form. If more than one employee expresses a preference for a particular post and both are matched to that post, a selection process will always be undertaken. If only one employee expresses a preference for a particular post and is matched to that post, they will be confirmed in the post but the manager will also identify any support and development needs which will be required to ensure that the employee is able to meet the requirements of the post. Employees will be considered for posts subject to special provisions of employees who are on maternity leave (section 8 above) and to the ring-fencing criteria as outlined in section 12 below.

DIOCESE OF NOTTINGHAM CATHOLIC MULTI ACADEMY TRUSTS REDUNDANCY AND RESTRUCTURING POLICY AND PROCEDURE

12. RING FENCING

- 12.1 **If a restructure involves the introduction of new posts and/or includes vacant posts**, these posts will, in the first instance, be made available to all employees who fall within the scope of the restructure regardless of whether they have a comparable post in the new structure unless the post is a reserved post in which case the post must be openly advertised to all. Employees will be required to undergo a selection process to determine which staff, if any, should be appointed to the new and/or vacant posts. By filling new posts first, this may mitigate against the need for redundancies in other areas of the structure.
- 12.2 **If a restructure involves the introduction of changed posts** which contain substantial elements of two or more previous job descriptions, only directly affected employees will be ring fenced. Employees who are in a ring fence may be required to undergo a selection process to determine which staff should be appointed to the new posts (see 11.1 above).
- 12.3 Where the number of staff in the ring fence matches the number of available posts, a selection process may still be undertaken to determine whether the employees' skills and experiences match the essential requirements of the job (allowing for the possibility of re-training where practicable). This provision may apply even where there is only one member of staff in the ring fence unless the employee is job matched to an available post (see 12.4 below above).
- 12.4 Where a single employee is matched to a changed post within the new structure, they will be confirmed in the post but the manager will also identify any support and development needs which will be required.
- 12.5 Further details on possible selection processes are given in section 13 below.

13. SELECTION AGAINST CRITERIA FOR POSSIBLE REDUNDANCY

- 13.1 The CMAT will ensure that the method used to select individuals for posts and/or possible redundancy is fair, objective, transparent, non-discriminatory (as outlined in paragraph 1.4) and in line with the Safer Recruitment and Selection Policy and Procedure and the curriculum, pastoral and organisational needs of the School/CMAT.
- 13.2 The CMAT HR Team will work closely with the area of the CMAT concerned to develop specific redundancy selection criteria to suit the individual staffing, management and curricular needs (where applicable) of the School/relevant part of the Central Team.

**DIOCESE OF NOTTINGHAM CATHOLIC MULTI ACADEMY TRUSTS
REDUNDANCY AND RESTRUCTURING POLICY AND PROCEDURE**

- 13.3 Special provisions apply to staff on maternity leave as detailed in section 8 above.
- 13.4 The principles governing the standard selection criteria will be:
- (a) the requirements of the curriculum, management, pastoral and organisational needs of the School/CMAT;
 - (b) the match of qualifications, experience, the flexibility of an employee to teach and/or work, as applicable, in other subjects/areas in the School/CMAT measured in relation to the curriculum, pastoral and organisational needs of the School/CMAT;
 - (c) degree of involvement of the employees concerned with the areas of work which are declining or have declined;
 - (d) the consideration of any applications for voluntary options where appropriate in an effort to avoid the need to make any compulsory redundancies.
- 13.5 The specific selection criteria will form part of the consultation with the Trade Unions and the process of applying any selection criteria to individuals will not take place until after the consultation period has ended.
- 13.6 In order to test the skills, knowledge and experience required for the new jobs or other posts for which there needs to be a selection process, examples of methods which might be used could include (but are not limited to):
- (a) test of skills and competencies which are relevant to the new role, for example giving a presentation, delivering a teaching session, admin skills test;
 - (b) interview;
 - (c) written submission to evidence how the employee meets the requirements of the person specification including, where applicable to the role, details of relevant leadership and management experience;
 - (d) for teaching staff – particular subject expertise; ability to teach additional subjects and experience with particular age groups or key stages measured in relation to the curriculum, pastoral and organisational needs of the School.
- 13.7 To facilitate the selection exercise, each member of staff may be asked to complete a short skills audit form on which they should outline their key skills, qualifications, training, experience and expertise.
- 13.8 The CMAT will consider ‘reasonable adjustments’ for employees with a disability for any selection methods used and implement these where appropriate, for example by allowing additional time for tests.

DIOCESE OF NOTTINGHAM CATHOLIC MULTI ACADEMY TRUSTS REDUNDANCY AND RESTRUCTURING POLICY AND PROCEDURE

- 13.9 There may be occasions where it is not necessary to carry out a selection process, for example where there is a cessation of work of a particular kind in which case all employees carrying out that work will be at risk of redundancy.
- 13.10 The selection process will normally commence with the most senior posts.
- 13.11 When selecting employees to posts in the context of organisational change, the employee only has to meet the minimum essential requirements for the post. A decision not to appoint an employee based on the fact that there might be a more suitable external candidate is not acceptable. Managers must give consideration to an employee who is judged to have the potential to acquire any additional skills they need within a reasonable timescale and after reasonable further training and/or support is provided.
- 13.12 Following the completion of the selection process, employees who do not secure a post within a new structure will be issued with a letter inviting them to meet with a Directors' Dismissal Panel as outlined below. They will also be provided with support from the CMAT HR team who will make every effort to identify suitable alternative employment within the CMAT (see section 15).

14. CONSIDERATION OF TERMINATION OF EMPLOYMENT – DIRECTORS' DISMISSAL PANEL

- 14.1 Once the selection criteria have been applied and, where applicable, the individual(s) to be selected for redundancy have been identified, these staff will be notified in writing the CMAT HR team and invited to meet with a Directors' Dismissal Panel comprised of three CMAT Directors. The employee will be given at least 10 working days' notice in writing of the meeting and at the same time will receive a copy of the documentation which will be considered at the meeting. The employee will also be advised of their right to be accompanied at the meeting by a Trade Union representative or work colleague. A member of the CMAT HR team will attend to provide procedural advice. Employees do not have to attend the Directors' Dismissal Panel should they accept the decision and not wish to make representations.
- 14.2 The purpose of the meeting will be:
- (a) to discuss the basis on which the employee has been selected for redundancy;
 - (b) to consider the termination of the employee's employment;
 - (c) to provide the employee with an opportunity to make representations about their proposed selection for redundancy.

DIOCESE OF NOTTINGHAM CATHOLIC MULTI ACADEMY TRUSTS REDUNDANCY AND RESTRUCTURING POLICY AND PROCEDURE

- 14.3 Any documentation which the employee wishes the Directors' Dismissal panel to consider should be sent to the HR Manager not less than 3 days before the date of the meeting.
- 14.4 The outcome of the meeting will be confirmed in writing to the employee by the CMAT HR Team within 5 working days and where the decision is to dismiss the employee on the grounds of redundancy, the letter informing the employee of the Directors' Dismissal Panel's decision will also give the employee formal notice of redundancy with not less than the required notice period in accordance with the employee's terms and conditions of employment. The letter will also advise the employee that they have the right to appeal against this decision by following the CMAT Appeals Procedure (see section 17).
- 14.5 The CMAT will ensure that efforts to help the employee to secure alternative employment continue up to the date of termination of the individual's employment. Where suitable alternative employment is found and this proves to be acceptable to all relevant parties within a 4 week trial period of the employee commencing the new post, the notice of termination of employment will be withdrawn. Under s138 of the Employment Rights Act 1996 an employer can extend this trial period to a longer period and must do so in writing.
- 14.6 Any employee selected for dismissal on the grounds of redundancy has the right to time off work to seek other employment and paid Leave of Absence should be granted to attend interviews, job centres etc within working hours as necessary. The employee must also be offered any suitable alternative work that becomes available within the School/CMAT.

15. SUITABLE ALTERNATIVE EMPLOYMENT AND TRIAL PERIODS

- 15.1 The CMAT will make every effort to redeploy any employee who is selected for redundancy to suitable alternative work. In determining what constitutes this, the CMAT will consider:
- (a) the overall job content and how similar the work is to the employee's current Post;
 - (b) the terms and conditions of the job being offered;
 - (c) the employee's skills, abilities and circumstances in relation to the job;
 - (d) the pay, grade, hours and location of the proposed job.

**DIOCESE OF NOTTINGHAM CATHOLIC MULTI ACADEMY TRUSTS
REDUNDANCY AND RESTRUCTURING POLICY AND PROCEDURE**

- 15.2 The CMAT reserves the right not to appoint a candidate who is not deemed to meet the requirements of a post but will give consideration of whether such a candidate could be appointed on the basis that they would meet those requirements within a reasonable time frame if reasonable further training and/or support were to be provided.
- 15.3 To avoid the need, wherever possible, to make redundancies, employees are expected to actively engage in the process of redeployment.
- 15.4 An employee who is offered and accepts the offer of suitable alternative employment will have the right to a 4 week trial period in the new post to assess the suitability of the role. This 4 week period may be extended by the CMAT if the employee needs training or where the 4 week period coincides with a period of school closure and the new role being offered would not normally work during the period of school closure. Any such extension must be agreed by the CMAT in writing before the trial period begins.
- 15.5 Formal offers of suitable alternative employment and any confirmation in the role after a trial period will be made in writing by the CMAT HR team.
- 15.6 If the employee considers that the role offered is not suitable, they will have an opportunity to discuss options with the CMAT with a view to reaching a settlement which may include redundancy. However, if the role is considered by the CMAT to be reasonable for the employee and the employee rejects the new role then they may forfeit their right to a redundancy payment.
- 15.7 If a role is considered to be a suitable alternative role by the CMAT but the employee disagrees, the employee will have the right to appeal to a Directors' Appeal Panel, following the procedure outlined in paragraphs 17.2 to 17.4 below.
- 15.8 If a role is not considered to be a suitable alternative role by the CMAT either before or during the trial period, the employee will be in a redundancy situation and the obligation to make a redundancy payment will apply. However if the employee disagrees with the decision to make them redundant, they will have the right to appeal to a Directors' Appeal Panel, following the procedure outlined in paragraphs 17.2 to 17.4 below.
- 15.9 If the employee works beyond the end of the trial period any redundancy entitlement will be lost because they will be deemed to have accepted the new employment.
- 15.10 Where an employee who is at risk has not obtained a post within the new structure, alternative employment within the Trust or is not working a trial period, their employment will terminate by reason of redundancy at the end of their notice period.

DIOCESE OF NOTTINGHAM CATHOLIC MULTI ACADEMY TRUSTS REDUNDANCY AND RESTRUCTURING POLICY AND PROCEDURE

16. NOTICE PERIODS

16.1 Support Staff

The period of notice is one week's notice for each completed year of continuous service up to a maximum of twelve weeks. Wherever possible, support staff who work all year round should have taken their proportionate annual leave entitlement up to the end of their notice period before their contract terminates.

16.2 Teaching Staff

Teaching Staff are entitled to the appropriate notice in accordance with the national Conditions of Service for School Teachers.

16.2.1 Teaching Staff (excluding Headteachers)

Finishing date	31 December	30 April	31 August
Notice under contract to be given by	31 October (*)	28 February (*)	31 May

(*) These dates **must** be brought forward where relevant to ensure that the teacher receives at least one week notice for each year of continuous service up to a maximum of 12 weeks.

16.2.2 Headteachers

Finishing date	31 December	30 April	31 August
Notice under contract to be given by	30 September	31 January	20 April

16.3 All Staff

Employees are normally required to continue attending work throughout their notice period in the event of their contract being terminated by the CMAT on the grounds of redundancy. However, where this is provided for in an employee's contract of employment, the CMAT reserves the right to pay an employee in lieu of notice and require the employee not to attend their place of work during the notice period. In such cases the employee will be placed on 'garden leave' but will remain employed by the CMAT and so bound by the terms of their contract of employment.

DIOCESE OF NOTTINGHAM CATHOLIC MULTI ACADEMY TRUSTS REDUNDANCY AND RESTRUCTURING POLICY AND PROCEDURE

17. APPEALS

17.1 Appeals against dismissal on the grounds of redundancy

- 17.1.1 An employee dismissed on the grounds of redundancy will have a right of appeal to a Directors' Redundancy Appeal Panel comprised of three CMAT Directors who have had no previous involvement in the process. The employee should complete the CMAT Appeal Registration Form (Appendix A of the HR Appeals Procedure), setting out in writing the grounds for appeal, and send the Form to the HR Manager within 10 working days of the notification of the original redundancy decision.
- 17.1.2 The employee will be given at least 10 working days' notice in writing of the Appeal meeting and at the same time will receive a copy of the documentation which will be considered at the meeting. The employee will also be advised of their right to be accompanied at the meeting by a Trade Union representative or work colleague. A member of the CMAT HR team will attend to provide procedural advice.
- 17.1.3 Any documentation which the employee wishes the Directors' Redundancy Appeal Panel to consider should be sent to the HR Manager not less than 3 days before the date of the meeting.
- 17.1.4 The appeal will be considered by the Redundancy Appeal Panel in accordance with the CMAT's Appeals Procedure.
- 17.1.5 The employee will receive written notification of the Redundancy Appeal Panel's decision within 5 working days. The appeal decision is final, and there is no further right of appeal within the CMAT.
- 17.1.6 If the Redundancy Appeal Panel decides to uphold the appeal against dismissal, the notice of dismissal will be withdrawn and this will be confirmed in writing by the CMAT HR Team.

17.2 Appeals against offer of suitable alternative employment

- 17.2.1 An employee who appeals against the offer of suitable alternative employment will have a right of appeal to a Directors' Appeal Panel comprised of three CMAT Directors. The employee should complete the CMAT Appeal Registration Form (Appendix A of the HR Appeals Procedure), setting out in writing the grounds for appeal, and send the Form to the HR Manager within 10 working days of the notification of the original decision.

DIOCESE OF NOTTINGHAM CATHOLIC MULTI ACADEMY TRUSTS REDUNDANCY AND RESTRUCTURING POLICY AND PROCEDURE

- 17.2.2 The employee will be given at least 10 working days' notice in writing of the meeting and at the same time will receive a copy of the documentation which will be considered at the meeting. The employee will also be advised of their right to be accompanied at the meeting by a Trade Union representative or work colleague. A member of the CMAT HR team will attend to provide procedural advice.
- 17.2.3 Any documentation which the employee wishes the Directors' Appeal Panel to consider should be sent to the HR Manager not less than 3 days before the date of the meeting.
- 17.2.4 The appeal will be considered by the Directors' Appeal Panel in accordance with the CMAT's Appeals Procedure.
- 17.2.5 The employee will receive written notification of the Appeal Panel's decision within 5 working days. The appeal decision is final, and there is no further right of appeal within the CMAT.
- 17.2.6 If the Appeal Panel decides to uphold the employee's appeal, the employee will be entitled to any redundancy payment due.

18. PAY PROTECTION AND REDEPLOYMENT/RESTRUCTURE

- 18.1 Employees subject to School Teachers' Pay and Conditions Document (STPCD) who are redeployed into a lower graded job covered by the STPCD or whose post changes as a result of a restructure, will receive pay protection, where applicable, in accordance with the provisions of the STPCD.
- 18.2 Where applicable, pay protection for support staff will be paid for a period of two years from the date the lower graded work is commenced unless the employee has a protected entitlement greater than two years which has been transferred as a result of a TUPE process.

DIOCESE OF NOTTINGHAM CATHOLIC MULTI ACADEMY TRUSTS REDUNDANCY AND RESTRUCTURING POLICY AND PROCEDURE

19. REDUNDANCY PAYMENTS AND ACCESS TO PENSION BENEFITS

- 19.1 If an employee is dismissed on the grounds of redundancy, they will be eligible to receive a redundancy payment provided they have at least two years' continuous service at the date of termination. The CMAT's policy is to calculate redundancy payments based on gross week's pay (i.e. the statutory cap will not apply) unless the statutory entitlement would be higher in which case payment would be based on the statutory amount. Continuous service is defined by any service with employers listed in the Modification Order. Redundancy payments are based on an individual's age, gross weekly pay (or statutory entitlement where higher) and the length of service (subject to a maximum of 20 years' service as set out in Appendix 1).
- 19.2 Verified continuous service with organisations covered by the Redundancy Payments Modification Order (RPMO) which has not previously been the subject of a redundancy payment will be included in any calculation for a redundancy payment. Employees may be obliged to produce documentary evidence of such service and must disclose if they have previously received a redundancy payment from an organisation covered by the RPMO.
- 19.3 Employees accepting an offer of employment which commences within four weeks of the termination of their employment with the CMAT will be required to pay back their redundancy payment if the new employer is covered by the RPMO.
- 19.4 In either a voluntary or compulsory redundancy process, eligible employees may also receive early release of earned (basic) pension benefits in accordance with the Local Government Pension Scheme regulations or Teachers' Pension Scheme regulations, as appropriate and are advised to see further information from the relevant pension provider.

20. STAFF ON FIXED TERM AND CASUAL CONTRACTS AND REDUNDANCY PAYMENTS

- 20.1 Where an employee has been employed by the CMAT on a fixed term contract or casual supply basis continually for a period of 2 or more years, they may be entitled to a redundancy payment. A period of one week constitutes a break in service. However periods of school closure do not count as a break in service.
- 20.2 The termination of a fixed term contract to cover illness, secondment or maternity is not a reduction in staffing so does not lead to a redundancy situation as there is no reduction in the establishment figure. However, in other situation where the non-renewal of a fixed term contract does lead to a reduction in the establishment, this will lead to a redundancy situation.

DIOCESE OF NOTTINGHAM CATHOLIC MULTI ACADEMY TRUSTS REDUNDANCY AND RESTRUCTURING POLICY AND PROCEDURE

21. EMPLOYEE SUPPORT

- 21.1 The CMAT will allow reasonable time off to employees under notice of redundancy to enable them to seek alternative work or undertake training for future employment. Any requests for time off should be made as far in advance as possible to the employee's Headteacher/Line Manager.
- 21.2 The CMAT recognises and understand that organisational change may have a significant impact on employees and may involve periods of uncertainty, The CMAT is committed to supporting employees through periods of change and to minimizing any negative impact. Support offered may include the following areas, and the CMAT will utilise internal and external expertise wherever possible as appropriate;
- Information on pensions and other benefits
 - redundancy payments
 - assistance with applications/interviews etc.
 - redeployment support
 - training guidance and support
- 21.3 The Employee Assistance Programme (EAP) offers employees access to free 24/7 confidential telephone counselling support on any personal, work or family issue on the freephone telephone number – 0808 168 2143. Every CMAT employee can phone the service for ad-hoc in the moment support 24 hours a day, 7 days a week. If it is clinically appropriate, an employee will be referred by the service for contracted counselling. Each employee is entitled to receive an agreed number of contracted telephone counselling or face-to-face counselling sessions.
- 21.4 Employees can also receive support from their Trade Union and from the Jobcentre Plus Rapid Response Service. Further details about support can be found on the Government website and accessed via the link below:

<https://www.gov.uk/redundancy-your-rights/get-help-finding-a-new-job>

The link below also provides further guidance on finding work and claiming benefits if an employee is made redundant.

<https://www.gov.uk/guidance/redundancy-help-finding-work-and-claiming-benefits>

- 21.5 Managers should be mindful that employees who are known to experience mental health issues may require additional support and reasonable adjustments during any period of change. Further sources of support can be found in the CMAT Mental Health and Wellbeing Policy.

**DIOCESE OF NOTTINGHAM CATHOLIC MULTI ACADEMY TRUSTS
REDUNDANCY AND RESTRUCTURING POLICY AND PROCEDURE**

22. ASSISTANCE FROM THE DIOCESAN EDUCATION SERVICE

- 22.1 The Diocesan Director of Education must be advised when employees are at risk of redundancy and may send a representative to advise the Directors' Dismissal Panel and/or the Directors' Redundancy Appeals Panel.

23. MONITORING

The outcomes of this policy will be monitored to ensure consistency of application and adherence to Equalities legislation.

**DIOCESE OF NOTTINGHAM CATHOLIC MULTI ACADEMY TRUSTS
REDUNDANCY AND RESTRUCTURING POLICY AND PROCEDURE**

Appendix I – Method for Calculating Redundancy Payments

Length of service (years)

Age	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20
17	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
18	1	1½	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
19	1	1½	2	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
20	1	1½	2	2½	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
21	1	1½	2	2½	3	-	-	-	-	-	-	-	-	-	-	-	-	-	-
22	1	1½	2	2½	3	3½	-	-	-	-	-	-	-	-	-	-	-	-	-
23	1½	2	2½	3	3½	4	4½	-	-	-	-	-	-	-	-	-	-	-	-
24	2	2½	3	3½	4	4½	5	5½	-	-	-	-	-	-	-	-	-	-	-
25	2	3	3½	4	4½	5	5½	6	6½	-	-	-	-	-	-	-	-	-	-
26	2	3	4	4½	5	5½	6	6½	7	7½	-	-	-	-	-	-	-	-	-
27	2	3	4	5	5½	6	6½	7	7½	8	8½	-	-	-	-	-	-	-	-
28	2	3	4	5	6	6½	7	7½	8	8½	9	9½	-	-	-	-	-	-	-
29	2	3	4	5	6	7	7½	8	8½	9	9½	10	10½	-	-	-	-	-	-
30	2	3	4	5	6	7	8	8½	9	9½	10	10½	11	11½	-	-	-	-	-
31	2	3	4	5	6	7	8	9	9½	10	10½	11	11½	12	12½	-	-	-	-
32	2	3	4	5	6	7	8	9	10	10½	11	11½	12	12½	13	13½	-	-	-
33	2	3	4	5	6	7	8	9	10	11	11½	12	12½	13	13½	14	14½	-	-
34	2	3	4	5	6	7	8	9	10	11	12	12½	13	13½	14	14½	15	15½	-
35	2	3	4	5	6	7	8	9	10	11	12	13	13½	14	14½	15	15½	16	16½
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
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+	3	4½	6	7½	9	10½	12	13½	15	16½	18	19½	21	22½	24	25½	27	28½	30