



Redundancy policy

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Adopted by (body): CELT Trustees

WELLBEING POLICY
DEVELOPMENT
STRATEGY HUMAN PEOPLE
RESOURCES
CHANGE MANAGEMENT
SUCCESSION PLANNING
CONFIDENTIALITY

Collaborate Ability to work effectively as a team

Empower Ability to take initiative and problem solve in order to improve performance

Lead To lead by example and achieve shared goals

Transformation Ability to recognise a need for change and adapt accordingly



CELT Vision

Our vision is for our trust to be a learning organisation in the truest sense.

At the heart of our vision for education is a self-improving school-led system which has the best evidence-led practice and in which every child fulfils their potential. This is a learning community in which:

- Our leaders are driven by moral purpose. They are outwards focused and not afraid to take risks to achieve system transformation. The focus of policy is on continually improving the quality of teaching.
- Our teachers strive to be outstanding. They work across organisational boundaries to promote a collective sharing of knowledge, skills, expertise and experience in order to deepen pupil learning.
- The individual talents and strengths of our pupils are recognised and nurtured. A passion and curiosity for learning is sustained in every child from the moment they join us. A CELT pupil leaves our family of academies with a purpose, and the confidence to fulfil that purpose.
- Our parents are engaged in our learning community and actively work in partnership with us to raise the level of attainment and aspiration of every child.

CELT Mission

“Learning together to help every child achieve more.”

We believe there is no limit to what every child can achieve, and that every child deserves the chance to fulfil their potential.

As a learning community we are on an ambitious journey. We want to deliver a model for education in the 21st century which instils curiosity and a love for learning in every child so that they develop into young adults who contribute to humanity, follow their passions, and think for themselves.

By learning and improving together – as part of a global learning community – we create much richer and more sustainable opportunities for rigorous transformation than can be provided by any one of our academies alone.

**COLLABORATE
EMPOWER
LEAD
TRANSFORM**

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CELT Wellbeing Statement

At CELT we are committed to providing a healthy working environment and improving the quality of working lives for all staff. CELT aims to ensure that our values are embedded in everything we do as a Trust and that staff are recognised as our greatest asset.

CELT defines wellbeing as; 'Creating an environment to promote a state of contentment which allows an employee to flourish and achieve their full potential for the benefit of themselves, pupils, colleagues and CELT.' All staff are expected to promote a culture of wellbeing. We are committed to the integration of a wellbeing strategy in all our work activities, policy and procedures.

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Introduction

- 1.1 This policy sets out Cornwall Education Learning Trust's (CELT) approach on handling all potential redundancy situations. However the number of employees involved will determine how the process will be managed.
- 1.2 This policy does not form part of any employee's contract of employment and it may be amended at any time following consultation with recognised trade unions. We may also vary the procedures set out in this policy, including any time limits, as appropriate in any case.

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Scope and purpose of the policy

- 2.1 It is recognised that certain changes (for example, a fall in roll, curriculum changes and budget reductions) may make it necessary to consider redundancies. The purpose of this policy is to have a clear framework in place that sets out what we will do whenever reduction in employee numbers may become necessary.
- 2.2 An employee who is dismissed shall be taken to be dismissed by reason of redundancy if the dismissal is wholly or mainly attributable to:
 - 2.2.1 the fact that the employer has ceased or intends to cease 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
 - 2.2.2 the fact that the requirements of that business for employees to carry out work of a particular kind, or for employees to carry out work of a particular kind in the place where the employee was employed by the employer, have ceased or diminished or are expected to cease or diminish.
- 2.3 We will seek ways to avoid compulsory redundancy if possible, and where we are unable to avoid reducing employee numbers, we will try to minimise the effect of redundancies through the steps set out in this policy. In doing so, we will not discriminate directly or indirectly on the grounds of any protected characteristic or against part-time or fixed-term employees and will undertake an equalities impact assessment

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- 2.4 As part of the application of this policy, the trust will collect, process and store personal data in accordance with our data protection policy. We will comply with the requirements of Data Protection Legislation (being (i) the General Data Protection Regulation ((EU) 2016/679) (unless and until the GDPR is no longer directly applicable in the UK) and any national implementing laws, regulations and secondary legislation, as amended or updated from time to time, in the UK and then (ii) any successor legislation to the GDPR or the Data Protection Act 1998, including the Data Protection Act 2018), in relation to how we collect, hold and share this personal data. We will provide workforce data in line with our Workforce Privacy Notice which sets out how we will gather, process and hold personal data of individuals during employment.

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Planning

- 3.1 The Trustees will ensure that there is effective planning, financial management and resource allocation in place in the day to day and strategic management of the trust. We will carry out workforce planning and regularly review our staffing structure to ensure it is fit for purpose, supports teaching and learning and uses resources effectively and efficiently.
- 3.2 Our leadership team will provide information in relation to workforce planning and resources to our Trustees as required.

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Consultation

- 4.1 Where the changes proposed could result in redundancies, we will enter into consultation to provide the opportunity for all those concerned to discuss the problem and consider options or alternative ways of tackling the problem. Consultation should begin in good time and will be in accordance with statutory requirements where applicable. Where the statutory requirements do not apply, we will determine a reasonable consultation period based on the proposals.
- 4.2 We will consult with all affected employees on an individual basis.
- 4.3 We will also consult with representatives of our recognised trade unions or elected employee representatives irrespective of the number of employees at risk of redundancy. Where appropriate and in accordance with 4.3, we will provide the recognised trade unions or elected employee representatives with sufficient information in writing, including:
 - 4.3.1 The reasons for the proposals including financial projections, for the following 3 to 5 years, based upon alternative scenarios where appropriate;
 - 4.3.2 The numbers and descriptions of Full Time equivalent (FTE) posts it proposes to reduce and the number of staff that are at risk of redundancy along with the proposed staffing structure and Job descriptions for any new posts;
 - 4.3.3 The total numbers of employees employed at the establishment in question
 - 4.3.4 Any slotting-in or ring-fencing that will be utilised within the process;
 - 4.3.5 The proposed method of selecting the employees who may be at risk of dismissal and any pooling that may be utilised within the process;
 - 4.3.6 The proposed method of carrying out the dismissals, including the period over which the dismissals are to take effect; and
 - 4.3.7 The proposed method of calculating the redundancy payments in accordance with part 7 of this procedure
 - 4.3.8 The numbers of agency staff at the trust, the areas that they are deployed in and the type of work they are undertaking.
- 4.4 We will consult on ways that we could avoid the need to make compulsory redundancies, if that is possible. Examples of such steps include but are not limited to:
 - 4.4.1 Reviewing the use of agency staff;
 - 4.4.2 Restricting recruitment or a vacancy freeze in affected categories of employees and in those areas into which affected employees might be redeployed
 - 4.4.3 Natural wastage;
 - 4.4.4 Retraining and/or redeployment within and across the trust;
 - 4.4.5 Reducing overtime/additional hours;
 - 4.4.6 Offering reduced working time including job-sharing or other flexible working arrangements, where these are practicable; and

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- 4.4.7 Inviting applications for early retirement or voluntary redundancy. In all cases the decision to release an employee under such schemes will be at the absolute discretion of the trust.
- 4.5 Any measures we adopt will not adversely affect the Trust and the quality of teaching and learning provided to our pupils.

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Making compulsory redundancies

- 5.1 If it is the case that compulsory redundancies will be required, all affected employees and the recognised trade unions / elected employee representatives will be advised of this. As part of the consultation process, we will consult on the procedure that we will follow and the selection criteria that we will apply (where appropriate).
- 5.2 Where more than one employee is employed in an affected role, a process of selection will be carried out. The criteria used to select will be objective, robust, transparent, non-discriminatory and fair, and based on the skills required to meet our existing and anticipated Trust needs. We will consider the most appropriate method of selection in relation to the circumstances surrounding the specific redundancy situation. Where there is only one incumbent in a post that is affected, then the selection criteria will be on the basis that they occupy that role.
- 5.3 Individual employees who are provisionally selected for redundancy following the application of the selection criteria will be informed and (where appropriate) invited to a meeting at which they will be given an opportunity to make representations that the application of the criteria is unfair or has been applied incorrectly. This is the dismissal meeting.
- 5.4 Where selection for redundancy is confirmed, employees selected for redundancy will be given notice of termination of employment in accordance with their contract of employment and written confirmation of the payments (and how it has been calculated) that they will receive (where applicable).
- 5.5 Employees will be given the opportunity to appeal against this decision. Details of the appeals process will be provided to the employees when the decision is made.
- 5.6 Depending on the circumstances, the Trust may waive its right to insist on employees working their notice and instead give a payment in lieu of notice.

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Making compulsory redundancies

5.7 Protection from redundancy applies to certain employees. We will offer suitable alternative employment (where available) in the following circumstances:

Circumstances	Length of protection
Pregnant employee taking maternity leave	<p>Start: When the employer has been notified of pregnancy</p> <p>End: 18 months from the child's date of birth if notified to employer before the end of maternity leave (or 18 months from the Expected Week of Childbirth if not notified)</p> <p>(Includes any time spent in this period on maternity leave or other statutory leave)</p>
Employee has suffered a miscarriage	<p>Start: When the employer has been notified of pregnancy</p> <p>End: Two weeks after the end of the pregnancy, for pregnancies ending before 24 weeks.</p> <p>Note: Pregnancies ending after 24 weeks are classed as stillbirths and the employee would be entitled to statutory maternity leave (see above).</p>
Employee taking adoption leave	<p>Start: Beginning of adoption leave</p> <p>End: 18 months from date of placement or date of entry into Great Britain (if overseas adoption).</p> <p>(Includes any time spent in this period on adoption leave or other statutory leave)</p>
Employee taking shared parental leave	<p>Note: If the employee has also taken maternity or adoption leave, the above periods apply instead.</p> <p>Start: Beginning of SPL</p> <p>End: If less than six weeks of SPL is taken, at the end of SPL. If more than six continuous weeks of SPL is taken, 18 months from child's date of birth (inclusive of any time spent on statutory leave) or the date the child enters Great Britain if adopting from overseas.</p>

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Support mechanisms

6.1 Alternative work/retraining

6.1.1 We will make every effort to redeploy any employee who is selected for redundancy to suitable alternative work and inform them of any vacancies that we have until their termination date. The manner in which at risk employees will be invited to apply for and be interviewed for vacancies will be agreed at the consultation stage. Priority will be given wherever possible to employees at risk of redundancy. Employees selected for redundancy whilst on maternity leave have separate legal entitlement to be offered any suitable alternative.

6.1.2 An individual who is redeployed into an alternative post is entitled to a trial period of four weeks in the new job. This may be extended by mutual agreement for training purposes. If the alternative employment is found to be unsuitable following the trial, employment will be terminated on grounds of redundancy on the original terms.

6.1.3 An employee will not be entitled to a redundancy payment if he or she unreasonably refuses an offer of suitable alternative employment. In this situation, the employee's contract would still be terminated by reason of redundancy.

6.1a Salary Safeguarding

Salary safeguarding will be in accordance with the relevant conditions of the affected individual.

6.2 Occupational Health

Employees who are at risk of redundancy or who have been issued a notice of redundancy will be able to access the Trust's Occupational Health service via the HR team HR@celtrust.org.

6.3 Time off

An employee under notice of redundancy will be entitled to a reasonable amount of paid time off to look for alternative work, attend interviews, etc. Employees wishing to take advantage of this right should make the appropriate arrangements with their line manager and provide proof of attendance if requested to do so.

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Redundancy payments

Employees with two or more years' service will be entitled to a redundancy payment of actual weekly pay. The period of continuous service will be calculated with reference to the Employment Rights Act and the Redundancy Modification Order.

7.1 The amount of this payment will be confirmed when the employee is selected for redundancy and the sum will be paid along with the employee's final salary payment or payment in lieu of notice.

7.2 All relevant service including continuous service in other RPMO schools and academies will be included in the redundancy pay calculation.

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Review of policy

8.1 This policy is reviewed and amended annually by the Trust in consultation with the recognised trade unions. We will monitor the application and outcomes of this policy to ensure it is working effectively. Consideration of the equality impact of this policy will be given to ensure that no groups or individuals with protected characteristics are unintentionally disadvantaged by the policy or practice.

Appendix History of Changes

Version	Date	Page	Change	Origin of Change
1.0	30.11.2022		Original Draft	
1.1	22.10.2024	3	Wellbeing statement added	
		8	Changes introduced by the Protection from Redundancy(Pregnancy and Family Leave) Act 2023	