



King's Group Academies Redundancy Policy

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It is our intention to manage the academy in a manner which results in secure employment for our employees. We will always try to avoid the need for compulsory redundancies but sometimes these may be necessary. The pattern or volume of our work may change and requirements for employees may reduce.

This policy does not form part of any employee's terms and conditions of employment with the academy and is not intended to have contractual effect. It is provided for guidance purposes only and the academy reserves the right to amend this policy at any time.

1. The purpose of the policy

The purpose of this policy is to ensure that, whenever a reduction in employee numbers becomes necessary:

- we communicate clearly with all affected employees and ensure that they are treated fairly;
- we try to find ways of avoiding compulsory redundancies;
- we consult with employees and with recognised trade unions and or employee representatives where applicable; and
- any selection for compulsory redundancy is undertaken fairly and reasonably.

2. Avoiding compulsory redundancies

Where we are proposing to make redundancies we will enter into formal consultation with all staff and with affected employees on an individual basis and, where appropriate, also with any recognised trade unions and/or employee representatives during the period of consultation.

The duration of consultation will adhere to the 90 statutory period.

In the first instance we will consider steps that might, depending on the circumstances, be taken to avoid the need for compulsory redundancies.

Examples of such steps include:

- Reviewing the use of agency staff, self-employed contractors and consultants; Restricting recruitment in affected categories of employee and in those areas into which affected employees might be redeployed;
- Reducing overtime in affected departments or service areas to that needed to meet contractual commitments or provide essential services;
- Considering the introduction of short-time working, job-sharing or other flexible working arrangements, where these are practicable;
- Identifying suitable alternative work with us that might be offered to potentially redundant employees;
- Inviting applications for early retirement or voluntary redundancy. In all cases the acceptance of a volunteer for redundancy will be a matter of our discretion and we reserve the right not to offer voluntary redundancy terms or to refuse an application where it is in the interests of the academy to do so.

Any measures adopted must not adversely affect the academy or its ability to deliver educational services and pastoral/support services to our students.

3. Can employees choose voluntary redundancy?

Employees can express an interest in volunteering for redundancy and in some cases, the academy's management may ask for expressions of interest. However, there is no guarantee that an expression of interest will be agreed. Each case will be considered through an established business case process which considers the needs of the service, the costs and impact to the academy.

4. Making compulsory redundancies

When it is not possible to avoid potential compulsory redundancies, all affected employees and, where appropriate, recognised trade unions and/or employee representatives, will be advised and consulted on the procedure that will then be followed and the criteria that will be applied.

The criteria used to select those employees who will potentially be made redundant will be objective, transparent, fair and based on the skills required to meet the academy's existing and anticipated needs.

Those employees who have been provisionally selected for redundancy will be consulted with individually.

Where selection for redundancy is confirmed, employees selected for redundancy will be given notice of termination of employment in accordance with their contracts and written confirmation of the payments that they will receive. Employees will be given the opportunity to appeal against this decision.

The academy will continue to look for alternative employment for any redundant employee and inform him or her of any vacancies that it has until his or her termination date. The manner in which redundant employees will be invited to apply for and be interviewed for vacancies will be organised depending on the circumstances existing at the time. Alternative employment may be offered subject to a trial period, where appropriate.

Employees under notice of redundancy will be entitled to take a reasonable amount of paid time off work to look for alternative employment or to arrange training for future employment.

5. If an employee wishes to leave before the end of the notice period

It may be possible for the employee to agree with the academy an earlier leaving date. However, this will be entirely at the academy's discretion and if this is not agreed, the Employee would have to resign to bring their employment with the academy to an early end.

6. If an employee gets another job outside of the academy before the notice period ends

This section covers the following situation: -

- If an employee receives an offer of a job from another organisation within the Modification Order and
- That job offer was made while that employee was under notice of redundancy, and before the end of that notice period, and
- The start date of that new job is within four weeks (including five Sundays) of the end of the notice period

If the above three criteria are met, the Modification Order applies and the employee will not be entitled to any redundancy pay. This is because the Modification Order operates to deem that an employee's employment will have continued (for the purposes of redundancy payments (and pension is appropriate) onto that new employment.

For further information on the Modification Order go to <http://www.lge.gov.uk>

7. Pension implications of being made redundant

7.1 Members of the Local Government Pension Scheme (LGPS)

If you are a member of the LGPS, are over age 55 and have more than 2 years' membership in the LGPS, you are entitled to immediate payment of your benefits based on your membership built up to the day you leave. The Academy is required to make any necessary payments to your pension fund to ensure that there is no reduction for you being paid earlier.

If you a member of the LGPS, are under age 55 and have more than 2 years' membership in the LGPS, your pension built up to the date you leave will become a deferred benefit. It will increase each year with the cost of living and is payable at your normal pension age. You can choose to have your deferred benefit payable at any time from age 55 but it may be reduced for being paid early and for longer. You may request to transfer your deferred benefit to another pension scheme at any time before payment.

7.2 Members of the Teachers' Pension Scheme (TPS)

Your pension built up to the date you leave will become a deferred benefit. It will increase each year with the cost of living and will be payable at your normal pension age.

If you find employment at another academy which entitled you to membership of the TPS, you should be able to start or continue in your membership of the TPS.

If you find employment which is non-teaching but with the local authority, you should be able to join the Local Government Pension Scheme instead.

If you find employment with an employer which does not entitle you to membership of the TPS, you may have a number of options:

- You may be able to transfer your TPS pension to a scheme run by your new employer; You may be able to keep your pension in the TPS, although you will not be able to contribute to it;
- Your contributions will be refunded automatically if you have been a member of the scheme for less than 2 years.

8. Redundancy Pay

Employees with 2 or more years' continuous service may qualify for redundancy pay, which is calculated by age, weekly pay (capped as per statute) and length of service, as is detailed in the Employment Relations Act 1996.

9. Management of Policy

The King's Group Academies Trustees has overall responsibility for the maintenance and operation of this policy. They will maintain a record of concerns raised and the outcomes. King's Group Academies policies will be reviewed regularly and will include an evaluation for impact on workload and working hours.