



# St. Gregory's Catholic High School

## REDUNDANCY POLICY

### Monitoring

The implementation of the policy will be monitored by the Director of Finance.

### Evaluation

The policy was reviewed by the Director of Finance and SLT on 12<sup>th</sup> January 2026 prior to the submission of the policy to Governors' Finance Committee for scrutiny and recommendation to the Full Governing Board for approval.

### Key policy dates:

**Ratified by the Full Governing Board:** 18<sup>th</sup> March 2026

**Review frequency:** Every 4 years

**Next policy review commences:** Summer Term 2030

Every member of St. Gregory's Catholic High School will work together in solidarity for the common good of our diverse community. We have no better inspiration than the teaching of Jesus Christ. We believe every person is unique and made in the image of God and should be treated justly with dignity, love and respect. We will follow Jesus by embracing our God given charisms to carry out our mission to serve. We are one family inspired to learn.

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## **1. INTRODUCTION**

- 1.1 The School is committed to ensuring, as far as is reasonably possible, a secure and stable working environment through the retention of its finest asset, our employees. Through positive workforce planning, the School will endeavour to maintain the efficiency and effectiveness of service provision in order to safeguard the current and future employment of our employees as best we can.
- 1.2 However, it is recognised that over time, circumstances may arise that will affect staffing levels within the organisation. For example, there may be changes in:
- business driven needs – such as service redesign;
  - external factors – such as government spending reviews;
  - competitive conditions – such as commissioning, partnership working or procurement;
  - organisational needs – such as reorganisation, restructuring or job redesign;
  - technological developments – such as homeworking, the introduction of technology and new equipment that aid efficiency savings.
- 1.3 All or any of the above may affect the way in which the council, directorates or services approach service delivery to meet the ever-changing face of local government. Consequently, this may have an impact on how we deliver our services and the staffing levels required to deliver those services. Subsequently, some employees may be placed 'at risk' and subject to a potential redundancy situation.
- 1.4 This policy has been developed to ensure that decisions are taken in accordance with employment legislation and the Local Government Pension Scheme (LGPS) Regulations, and with full regard to achieving solutions that can be practically applied and are affordable, equitable and fair and take account of school needs.

## **2. SCOPE**

- 2.1 This policy applies to all school employees in community and voluntary controlled schools. Governing Bodies of Voluntary Aided/Foundation/Academies may also choose to adopt this policy.
- 2.2 Regulations made under the Education Act 2002 give Governing Bodies powers to delegate their power to dismiss to Head Teachers if they so wish. If the Governing Body wish to delegate their power to dismiss to the Head Teacher, then this should be clear at the start of the process. The Head Teacher must ensure that they remain impartial throughout the process. However, any appeal would still remain with the Governors Appeals Committee.

### **3. REDUNDANCY DEFINITIONS**

3.1 Employees who have at least 2 years continuous local government service with any local authority or employer covered by the Redundancy Payments Modification Order are entitled to a redundancy payment.

3.2 The Employment Rights Act 1996 defines a redundancy situation as one where:

The Employer has ceased, or intends to cease;

- (a) to carry on the business for the purposes of which the employee was employed, either generally or at the place where the employee was employed; or
- (b) the requirements of the business for employees to carry out work of a particular kind, either generally or at the place where the employee was employed, have ceased or diminished or are expected to cease or diminish.

3.3 Under section 197 of the Employment Rights Act 1996, the non-renewal of a fixed term contract is a dismissal in law. Under the Fixed Term Employees (Prevention of Less Favourable Treatment) Regulations 2002 there is no provision for an employee to waive their right to redundancy payment upon expiry of their contract.

3.4 Therefore, employees with over 2 years' service whose fixed-term contract is not renewed may be entitled to a redundancy payment. It should be noted that the Regulations define a fixed-term contract as a contract of employment that will terminate:

- on the expiry of a specific term, i.e. a predetermined time period;
- on the completion of a particular task, i.e. a task or performance contract; or
- on the occurrence or non-occurrence of any specific event. I.e. the cessation of project funding.

### **4. REDUNDANCY PAYMENT CALCULATION**

4.1 The basis of the redundancy payment is the statutory calculation made under the Employment Rights Act 1996, which is calculated as follows:

- For each full year of employment up to age 21 years, ½ weeks' pay is given;
- For each full year of employment between the age of 22 and 40 years, 1 weeks' pay is given;
- For each full year of employment from the age of 41+, 1½ weeks' pay is given.

## Calculating a week's pay for redundancy purposes

WHAT IS INCLUDED	WHAT IS NOT INCLUDED
Normal (or average) contractual pay	First Aid allowance
Contractual overtime	Non-contractual overtime
Acting-up pay	Expenses e.g. travel/subs
Contractual standby allowance	Relocation allowance
Sleeping in allowance (where a contractual requirement)	Ex gratia payment/ other allowance
Market Supplement	Golden Hello's
Protected/safeguarded pay	Payments in kind (e.g. lease car)
Honorarium	Car user allowance

- 4.2 The calculation will be on the basis of an employee's actual week's pay, rather than the statutory limit.
- 4.3 The total years of service used in the calculation will be rounded down to complete years, with the maximum being 20 years.
- 4.4 In accordance with the discretions available under the Local Government (Early Termination of Employment) (Discretionary Compensation) (England and Wales) Regulations 2006, the council, can consider compensation payments to those staff eligible to be a member of the LGPS who meet the eligibility criteria whose employment is terminated early:
- by reason of redundancy
  - in the interests of the efficiency of the service, or
  - in the case of a joint appointment, because the other holder of the appointment has left it.
- 4.5 These provisions allow the council to consider making a one off lump sum payment to an employee which must not exceed 104 weeks' pay.

**Note: The discretionary multiplier does not apply to any staff under School Teachers Pay and Conditions.**

## 5. CONVERSION

- 5.1 Employees who are members of the LGPS may choose to convert their compensation lump sum payment, received in relation to either termination on the grounds of redundancy into additional period of pensionable service.
- 5.2 It should be noted that in the case of redundancy, the sum that can be converted into pensionable service is that which exceeds the statutory redundancy payment only.

## 6. CONSULTATION

6.1 Where the School is contemplating making changes to its employee establishment that may lead to a redundancy situation, there will be full and meaningful consultation with individual employees affected by the proposal and with the appropriate recognised trade unions. Consultation will involve considering ways of:

- avoiding proposed dismissals;
- reducing the numbers to be dismissed;
- mitigating the consequences of any dismissals.

6.2 The consultation process will precede any public announcement of a redundancy programme and the issue of notices of termination. Consultation by law must begin 'in good time'. In applying good practice, the School will apply the definition of 'in good time' as follows:

- (a) Consultation will last for at least **30 days**, if 20 to 99 employees are to be made redundant as a 'one event' within a service over a period of 90 days or less. or
- (b) a **90 day consultation period**, if 100 or more employees are to be made redundant as 'one event' within a service over a period of 90 days or less.

6.3 Lawful and meaningful consultation must be completed **before** issuing redundancy notices to employees. In any event, the School will strive to provide a minimum consultation period of up to 30 days before giving notice in situations where less than 20 employees are to be made redundant.

6.4 In exceptional circumstances, there may be some flexibility over the length of the consultation period, however this **must** be agreed with Human Resources and in line with Business Innovation and Skills guidance, which states "consultation must start 30/90 days respectively before the first of the dismissals take effect (that is, when the employment contract is terminated)" i.e. the 30 day period continues to be counted back from the date when the first of the dismissals take effect, not from the date when redundancy notices are issued.

## 7. DISCLOSURE OF INFORMATION

7.1 There is a statutory responsibility on employers to disclose relevant information. Therefore, the school will provide the following information to accredited representatives during or prior to the consultation period:

- (a) the reasons for the proposed redundancy;
- (b) the total number of employees affected by the proposals;
- (c) the number and description of employees whom it is proposed to dismiss (either voluntary or compulsory);

- (d) proposed method of selection for redundancy;
- (e) proposed method of how the dismissals will be carried out including the period over which dismissals are to take effect;
- (f) proposed method of calculating redundancy pay.
- (g) the total number of agency workers

7.2 Under the Trade Union and Labour Relations (Consolidation) Act 1992, Part IV, Chapter II, the Council is responsible to notify the Insolvency Service, within the Redundancy Payments Service (RPS), if it proposes to make 20 or more workers redundant at one establishment over a period of 90 days or less.

7.3 The School will do this either by letter or by use of an HR1 form. The notification to the Secretary of State must be received by RPS before redundancy notices are issued and at least 30 or 90 days before the first termination date. Timescales will depend upon the number of employees potentially involved.

7.4 In pursuit of the aim of meaningful consultation, the council will consider any representation or counter proposal submitted in writing by affected employees or the appropriate recognised Trade Unions and will reply, in writing within a reasonable period, to any submissions received. Where the School rejects representations in whole or part, the reasons for rejection will be stated in writing. In addition to the above the School will disclose all supporting information that is relevant to the proposals i.e. budget and financial information, terms of reference of any review etc.

7.6 The requirement to submit written representation and to provide written reports, can, if agreed, be satisfied through the issue of jointly agreed minutes of Employer/Trade Union meetings produced by the relevant Governing Board.

## **8. DISPLACEMENT OF EMPLOYEES**

8.1 Where the proposals involve the displacement of employees the School, in consultation with the appropriate recognised Trade Unions, will seek to avoid compulsory redundancies by considering the adoption of the following measures where practically possible, bearing in mind service constraints, legislation, and the need to maintain services:

- (a) natural wastage
- (b) restrictions on recruitment to posts
- (c) reducing or eliminating other payments, including overtime
- (d) reducing hours across affected groups of staff to minimise potential redundancies
- (e) non-renewal of fixed term and temporary contracts at the point of expiry, for example where an individual has been brought in specifically to complete particular tasks or to cover for a peak in demand.

- (f) seeking applications for early retirement and/or voluntary redundancy in accordance with the School's policy
- (g) redeployment in accordance with the School's redeployment policy with appropriate training if necessary and agreed trial periods.
- (h) transfer of employee to other suitable work within the school/trust (with retraining where possible)

## **9. VOLUNTARY REDUNDANCY**

- 9.1 In addition to the above, the Governing Body will consider requests or and may seek volunteers below the normal retirement age within a workgroup to opt for early retirement; and/or for voluntary redundancy under the schemes operated by the School. In these instances, whilst the School will be prepared to consider all applications, it reserves the right to determine release, taking into account current and future operational requirements.
- 9.2 A selection exercise will be conducted in line with the Voluntary Redundancy Selection Criteria and in consultation with Human Resources (or nominee).

## **10. REDEPLOYMENT**

- 10.1 Any employee, where the Council is the employer, who is “at risk” of redundancy will be placed on the Council’s Redeployment Register in accordance with the School’s Redeployment policy. [Employees of an Academy or Multi Academy Trust must look at redeployment opportunities within the Academy or across the Trust.](#) Legally there is an obligation and responsibility to consider suitable, alternative employment for redeployees and conversely, redeployees should show reasonableness in considering and accepting any suitable, alternative employment.
- 10.2 The School must consider any other redeployment opportunities within their own school, which may be suitable for the ‘at risk’ employee.
- 10.3 The School will endeavour to provide retraining and redeployment of existing employees into appropriate vacancies where possible to maximise opportunities and minimise redundancies. Appropriate funding will be the responsibility of the employee’s originating school. In this event, the school will retain the right to determine the suitability of candidates for retraining and redeployment taking into account all skills possessed by the employees.

## **11. THE GOVERNORS COMMITTEE STRUCTURE**

- 11.1 Governors must nominate two separate committees (including a Chair) as follows:

- a selection committee to consider a staffing structure and identify staff for displacement;
- an appeals committee to consider any appeals.

- 11.2 Where the Head Teacher, Governing Body and/or Selection Committee at a school judge that there is a significant possibility of staffing reductions, they should ensure that the appropriate committees are formed in advance of the process.
- 11.3 No Governor may be a member of both committees and there should be no discussion between members of the two committees about any decisions under consideration. There should also be no discussion with any other individuals apart from other members of the selection or appeals committee.
- 11.4 The Head Teacher or other nominated senior member of staff in school can provide evidence and information to each committee. The Head teacher may be present at both committees and make a contribution to the process.
- 11.5 The Local Authority has a statutory entitlement to send a representative to all proceedings relating to dismissals and offer advice in community, voluntary controlled, community special and maintained schools. Any advice offered must be considered by the Governing Body when reaching a decision.
- 11.6 It would be unethical for staff Governors to be appointed as a member of either committee. Governors should also consider whether it is appropriate to appoint parent governors to either committee.
- 11.7 The Selection Committee must consist of at least three governors and the appeals committee must have at least as many members as the Selection Committee. Governors must communicate all such committee meetings to Children's Services HR Advisory Service and the Governor and Advisory Service. HR Business Partners and/or HR Business Managers are available to attend any committee meetings on request with notice.

## **12 SELECTION CRITERIA FOR COMPULSORY REDUNDANCY**

- 12.1 Where it is shown that fewer employees are required in a particular workgroup and changes cannot be achieved by voluntary measures, consultation on the selection method should be undertaken and either selection criteria may be used or alternatively selection by interviews may be used as an appropriate method of redundancy selection.
- 12.2 When utilising any selection criteria the assessments will be carried out by the selection committee with advice being sought from the Headteacher or their representative.. The application of the criteria must be lawful, objective, fair and reasonable and be applied to all affected employees in line with the ACAS guidelines. The application of the

selection criteria will fall under the scope of the School's Appeals procedure in the event of a redundancy dismissal.

12.3 The relevant trades unions will be consulted on the process to:

- Establish the pool of employees from which selection will be made;
- Establish the relevant selection criteria.

12.4 Competitive interviews may be used as an alternative to selection criteria.

12.5 It should be noted that employees will not be selected for redundancy purely on the fact that they work under a fixed term contract, unless this can be objectively justified. For example, where an employee has been brought in specifically to complete a particular task or to cover for a peak in demand, justification may be given for their selection for redundancy when their contract reaches expiry, subject to the procedures laid down in this policy.

12.5 Following assessment the principle to be applied is those employees with the lowest total score, will be selected for redundancy.

12.6 The Governing Body or Headteacher if nominated will notify those employees selected for redundancy individually, and in writing.

### **13. EMPLOYEE APPEALS**

13.1 An employee selected for redundancy will have the right of appeal against dismissal.

13.2 The appeal should be submitted in writing to the Governors Appeals Committee within 10 working days of written confirmation of the notice of redundancy and the grounds of appeal must be stated. The grounds for appeal must be related to the individual's selection for redundancy and cannot consider feedback that was not submitted during the consultation process.

13.3 The Employee Appeals Committee will consider the case, and the employee has the right to be accompanied at the hearing by a trade union or workplace colleague of their choice.

### **14. EMPLOYEE SUPPORT AND ASSISTANCE**

14.1 Employees who are under notice of redundancy will be given reasonable time off with pay to look for work or for training for new employment. Proof of appointments must be produced prior to granting the time wherever possible.

14.2 The School will endeavour to provide, wherever practically possible, advice and support on request for the following:

- job search skills;
- completion of application forms/CV preparation;
- self presentation at interviews;
- personal matters relating to redundancy;
- support and advice in getting into a new job/area;
- financial matters;
- coping with stress, coming to terms with redundancy.

## **15. RE-ENGAGEMENT FOLLOWING REDUNDANCY OR EARLY RETIREMENT**

15.1 Former employees who wish to apply for future vacancies with the school/trust will be considered in open competition with other applicants in line with the Council's Recruitment and Selection Code of Practice.

15.2 It is important to note that the requirements of the Redundancy Payments Modification Order will apply; i.e. if an employee takes up any other RMPO employment within 4 weeks they are required to repay their redundancy payment.

*Note: If employees are re-engaged within 4 weeks, continuity of service will not be broken and employees would be required to return any redundancy pay received. If redundancy pay is not paid back and the employee is made redundant again at a later date, redundancy pay will only be for the remaining service period following re-engagement.*

## **16. MONITORING, EVALUATION AND REVIEW**

16.1 The Director of Workforce and Organisational Change and Deputy Chief Executive have specific responsibility for monitoring the effectiveness of this policy. This will be undertaken in consultation with the appropriate negotiating bodies.

16.2 This policy is monitored, evaluated and reviewed to ensure it is kept up to date and meets legislative and best practice requirements.

## **17. FURTHER INFORMATION**

17.1 Further advice and guidance on this policy or specific circumstances covered by this policy can be obtained from your directorate HR Business Partner.

17.2 If you would like to comment on the content of this policy, please contact Human Resources.

17.3 This policy is also available in alternative formats if requested.

## REDUNDANCY PROTECTIONS

From 6 April 2024, employees who are pregnant or returning from maternity, adoption or shared parental leave will gain priority status for redeployment opportunities in a redundancy situation.

Under the current law, employees on maternity leave, shared parental leave or adoption leave already have special protection in a redundancy situation. They have the right to be offered a suitable alternative vacancy, if one is available, before being made redundant. This gives employees on these types of leave priority access to redeployment opportunities over other redundant employees.

The [Protection from Redundancy \(Pregnancy and Family Leave\) Act 2023](#) extends the priority status to pregnant employees and those who have recently returned from maternity/adoption leave and shared parental leave.

### Who is Protected and When?

	Length of protection
Pregnant employee who takes maternity leave	<p><b>Start:</b> When the employer has been notified of pregnancy</p> <p><b>End:</b> 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 who has suffered a miscarriage	<p><b>Start:</b> When the employer has been notified of pregnancy</p> <p><b>End:</b> Two weeks after the end of the pregnancy, for pregnancies ending before 24 weeks.</p> <p><b>Note:</b> Pregnancies ending after 24 weeks are classed as stillbirths and the employee would be entitled to statutory maternity leave (see above).</p>
Employees taking adoption leave	<p><b>Start:</b> Beginning of adoption leave</p> <p><b>End:</b> 18 months from date of placement or date of entry into Great Britain (if overseas adoption).</p>

	(Includes any time spent in this period on adoption leave or other statutory leave)
<b>Employee taking shared parental leave</b>	<p><b>Note:</b> If the employee has also taken maternity or adoption leave, the above periods apply instead.</p> <p><b>Start:</b> Beginning of Shared Parental Leave (SPL)</p> <p><b>End:</b> 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).</p>

Note, that the protection only gives employees priority for redeployment opportunities. Employees with priority status can still be selected for redundancy. The protection kicks in when it comes to the allocation of alternative roles.