



**Brighter Futures**  
Educational Trust

# REDUNDANCY POLICY

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**Review Committee:** ELT

**Type of Policy:** Non - Statutory

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## VERSION CONTROL

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## 1. INTRODUCTION

- 1.1 Brighter Futures Educational Trust has a responsibility to maintain and, wherever possible, enhance its efficiency in terms of teaching and learning whilst ensuring appropriate use of resources and ongoing financial viability. The academy seeks to fulfil its purposes and achieve these aims by prudent forward planning.
- 1.2 Brighter Futures Educational Trust also recognises that circumstances may arise outside its control (be they, legislative, financial, educational or technological) which necessitate a process of organisational restructuring.
- 1.3 In furthering its fundamental aims and/or responding to such (external) circumstances the academy will endeavour to protect, as far as is possible, the current and future employment of all categories of staff.

## 2. PURPOSE AND SCOPE

- 2.1 This policy applies to all individuals engaged under contracts of employment covering teachers and support/associate staff within the academy, including those employed on successive fixed term (or temporary) contracts extending over 2 years without a break in service.
- 2.2 The aim throughout is to ensure that staff are treated reasonably and in accordance with the principles of fairness and justice. Accordingly, if equality and diversity issues are felt to be of relevance in relation to employees deemed, in consequence of proposed restructuring, to be at risk of redundancy, these issues should be brought to the attention of the individuals tasked with managing this process and appropriate support provided by the trust.

## 3. REDESIGNING THE STRUCTURE

- 3.1 In the event of restructure being proposed, following initial discussions with trustees (and in conjunction with members of the review group who will report back to the Trustee Board with considered recommendations) the executive headteacher will formulate draft proposals for a revised staffing structure and implementation plan which will act as a basis for consultation. The information should also include a rationale for any proposed changes along with relevant costings.
- 3.2 Any proposed restructure is based on posts and the draft proposals will describe the roles and responsibilities that are required to move the academy forward to achieve the organisational objectives as set out in the school development plan (or other document of equivalent relevance).

- 3.3 Job descriptions and person specifications must be drawn up for new and amended posts and appended to the draft proposals this chart, showing grades where appropriate (for example support staff roles)
- 3.4 All activities and structures may be reviewed for one or several of the following reasons (the list is not exhaustive):
- financial viability, based on a suite of indicators
  - value for money
  - quality measures, including any recommendations from Ofsted
  - declining pupil numbers
  - changes to funding mechanisms
  - technological change
  - legislative change.
- 3.5 Whilst every effort will be made to find an appropriate post in the new structure for every existing member of staff it may be the case that a potential redundancy (or redeployment) situation arises as a result of restructuring.
- 3.6 Brighter Futures Educational Trust is committed to meaningful consultation with employees and recognised trade unions regarding proposed organisational changes and will try to minimise any requirement for redundancies through careful planning including vacancy control, natural wastage, redeployment and retraining whenever possible.
- 3.7 When redundancies are envisaged as being likely the Brighter Futures Educational Trust will aim to provide appropriate assistance to those staff affected and will ensure that their dignity is respected.

## 4. DEFINITION OF REDUNDANCY

- 4.1 Under the Employment Rights Act 1996 (as amended), redundancy arises when employees are dismissed for one of the following reasons:
- the employer has ceased (or intends to cease) to carry on the business for the purposes of which the employee was so employed
  - the employer has ceased (or intends to cease) to carry on the business in the place where the employee was so employed

- the requirements of the business for employees to carry out work of a particular kind have ceased or diminished (or are expected to cease or diminish)
- the requirements of the business for the employees to carry out work of a particular kind, in the place where they were so employed, have ceased or diminished (or are expected to cease or diminish).

## 5. REQUIRED DISCLOSURE OF INFORMATION PRIOR TO CONSULTATION

- 5.1 Certain information concerning proposals for redundancies should be disclosed, in writing, to the appropriate union representatives. This is necessary to enable those representatives to play a constructive part in the consultation process.
- 5.2 The information required by legislation includes the following:
- reasons for the proposals
  - numbers and descriptions of employees it is proposed to dismiss as redundant
  - total number of employees of any such description employed at the establishment in question
  - details of the way in which employees will be selected for redundancy
  - how the dismissals are to be carried out, taking account of any agreed procedure, including the period over which the dismissals are to take effect
  - details of the method of calculating the value of redundancy payments to be made to those who are dismissed.
- 5.3 This communication is generally referred to as a 'Section 188' letter, issue of which represents a statutory duty when the employer intends to make a minimum of 20 employees redundant within a 90-day period. Although not a statutory duty in other circumstances it nonetheless constitutes good practice for an employer to use a similar format to communicate their proposals to any staff who may be at risk of redundancy.
- 5.4 The information will be handed to local employee representatives or may in exceptional circumstances be sent by post to an address notified to the employer.

## 6. CONSULTATION

- 6.1 Consultation should be undertaken with a view to reaching agreement and should include ways of avoiding dismissals on grounds of redundancy if possible and (where such avoidance is not possible) reducing the number of employees to be made redundant and mitigating the effects of dismissal on grounds of redundancy.
- 6.2 In certain circumstances it may be appropriate to consider a period of informal consultation before detailed proposals (as specified below) are divulged to staff and unions. Informal consultation will normally be limited to communication with unions.
- 6.3 The executive headteacher should announce the start of the formal consultation by writing on behalf of the Trustee Board to all staff and recognised trade unions advising them in relation to the following:
- purpose and scope of the review or (proposed) restructure
  - rationale for the review or (proposed) restructure
  - draft proposals for the revised structure (including job descriptions and person specifications)
  - implementation plan and any other documents
  - identity of a named individual to whom queries about the process should be sent
  - dates by which any written responses to the consultation exercise will be required (usually a period of up to four working weeks)
  - arrangements for any meetings to be held with the staff and trade unions during the review
  - timescale of the process, including the consultation timescale and dates of Trustee meetings to:
    - i. consider and approve the draft structure and implementation plan
    - ii. receive feedback from the consultation
    - iii. give further consideration to the structure if it has proved necessary to undertake significant revisions to the initial proposals
    - iv. approve the final (definitive) version of the structure and implementation plan.

- 6.4 A formal consultation meeting will be held at the start of the consultation period with staff and trade unions to discuss the proposals. Staff and unions should be informed in writing of their invitation to attend this meeting.
- 6.5 Either the executive headteacher or a trustee will usually chair the consultation meeting. Notes should be taken by school management during all formal meetings with staff and trade unions.
- 6.6 During the formal consultation period staff and trade union representatives may submit observations and suggestions in writing.
- 6.7 Consultation should begin in good time and must be completed before any redundancy notices are issued. In addition, consultation must begin:
- at least 30 days before the first dismissal takes effect if 20 to 99 employees are to be made redundant at one establishment over a period of 90 days or less
  - at least 45 days before the first dismissal takes effect if 100 or more employees are to be made redundant at one establishment over a period of 90 days or less.
- 6.8 If less than 20 employees are affected the consultation period will normally be no less than four working weeks and may be extended dependent on circumstances.
- 6.9 The four-stage test historically accepted in employment tribunals is that a fair process of consultation is one which includes:
- consultation where the proposals are still at a formative stage
  - adequate information on which to respond
  - adequate time in which to respond
  - conscientious consideration by the employer of the response to consultation.
- 6.10 Staff will be advised of the potential for redundancies and the reasoning behind this and will be invited to make representations regarding means of avoiding or reducing the number of redundancies.
- 6.11 A timetable of activities should be drawn up by senior management and, following consultation with unions, be distributed to staff and unions (see Draft Timetable - Appendix 1).
- 6.12 Members of staff who are directly affected by the process will be offered the opportunity to meet individually with the executive headteacher/ headteacher (or a senior manager) to discuss the proposals and may be accompanied in that meeting by a trade union representative (or work colleague).



- 6.13 Throughout the consultation period, consideration will be given to any representations made and there may be ongoing discussion with the employee(s) and union(s) concerned.
- 6.14 If the Trustee Board proposes a significantly revised structure in response to suggestions put forward by staff and/or unions which have not themselves been subject to appropriate consultation, an extended period of consultation with staff and unions should be undertaken.
- 6.15 The timescale of any further consultation should be proportionate to the scale of the amendments – this should not, however, be less than one week in duration.
- 6.16 Data Protection: All personal information gathered during the redundancy process will be handled in accordance with the Data Protection Act 2018. This includes performance data, absence records, and skills audits. Access to this information will be limited to those involved in the decision-making process.

## **7. MEASURES TO AVOID REDUNDANCY**

- 7.1 Every effort will be made to reduce the number of possible compulsory redundancies by measures such as:
- natural wastage
  - restricting the recruitment of permanent staff
  - reducing the use of temporary staff
  - filling vacancies from amongst existing employees (where appropriate)
  - reducing hours of work (possibly by instituting job share arrangements etc)
  - retraining staff or redeployment
  - seeking volunteers for redundancy.

## **8. EARLY RETIREMENT**

- 8.1 If an employee volunteers for redundancy (or is made compulsorily redundant) they may, dependent on individual circumstances, be eligible for early retirement with immediate access to their pension benefits.
- 8.2 In relation to support staff (whose pension scheme rules are different to those of teachers) early retirement (between the age of 55 and normal pension age) may involve a financial commitment for the academy which has the potential to be highly significant

in the longer term. The precise age at which an employee is made redundant, or takes voluntary redundancy, is likely to be critical in this regard.

- 8.3 Senior management need to be aware of this issue and will therefore need to explore the costs and resources involved before final decisions are taken.

## **9. VOLUNTARY REDUNDANCY**

- 9.1 One strategy (to reduce compulsory redundancy) is for employees to volunteer to be considered for redundancy thus avoiding the need for compulsion, and employees may be invited to express an interest in this possibility.
- 9.2 It should, however, be made evident to all employees that although they may request voluntary redundancy, the decision as to whether this will be granted remains at the sole discretion of the employer (and in this context employers should take note of the preceding section on early retirement before committing to a decision).
- 9.3 Senior management will also need to consider the balance of the skills and experience of those staff who remain in post following redundancies and this aspect may similarly result in, or contribute to, an application for voluntary redundancy being rejected.

## **10. IMPLEMENTATION**

- 10.1 10.1 Following the end of the consultation period and the agreement of the trustees to a new staffing structure, arrangements should be made to fill the posts in the structure.
- 10.2 Appointments to the revised structure may be made to suit the needs of Brighter Futures Educational Trust over a phased implementation period, the timeline of which should be made clear during the consultation process.
- 10.3 The extent of the change from the existing structure to the new structure allied to any relevant budgetary considerations may determine the appropriate timescales.

## **11. APPOINTMENT OF STAFF TO THE NEW STRUCTURE**

- 11.1 All staff are regarded as occupying their substantive post in the existing structure, regardless of whether they might currently occupy a different post, whether on a temporary basis (such as maternity cover etc) or on secondment.

- 11.1 Those posts in the new structure which are classed as being the same as, or substantially the same as, those within the current structure should be agreed and provisionally listed in the restructuring plan as 'unaffected' posts, whereas those posts
- 11.2 Appointments to the new structure will be made 'tier by tier' and members of staff identified as 'affected' will be able to apply for posts as they are released.
- 11.3 Where there is an identified requirement (if, for instance, there is a skills or qualification gap between an individual and the post) full consideration should be given to offering appropriate training before any action is taken in relation to proposed redundancy.
- 11.4 Where interviews take place during this process, members of staff may invite a representative from their union to act as an observer to the exercise, but the representative will not be permitted to participate in the decision-making process.

## **12. ASSIMILATION**

- 12.1 Where a post is largely unchanged (substantially performing either identical or similar functions) the member of staff should be 'slotted in' or 'assimilated' into the post.
- 12.2 At the beginning of the appointment process those staff to be assimilated will be informed in writing.
- 12.3 Staff can make requests, to management, not to be assimilated to a post which is substantially the same as their current post. By doing so, however, they will forfeit their right to automatic assimilation (and any potential redundancy payment if they are not appointed to any other post in the structure) although they remain free to apply for any remaining unfilled posts.
- 12.4 If staff request not be assimilated, management will consider whether they can accept their request or have determined to refuse it on the grounds that:
  - no other persons employed have the knowledge and experience or ability to fill the post; and/or

- it would not be in the best interests of efficiency of Brighter Futures Educational Trust to release the present postholder from that position.

- 12.5 The postholder will be notified in writing of the outcome of their request. If the request is declined, they may appeal in writing (via the clerk to trustees) to the appeal committee of the Trustee board stating specific grounds for their appeal.
- 12.6 The appeal committee will hear their appeal within a reasonable timescale. The decision of this committee is final.

### **13. REFERENCING**

- 13.1 Where a post in the structure is a combination of existing responsibilities it should be ringfenced to those members of staff who previously held those responsibilities (since they are at risk of potential redundancy).
- 13.2 Under these circumstances appointment to the post may be either via interview or skills matching and management should seek agreement with trade unions on the most appropriate method of appointment.

### **14. LINKS WITH OTHER POLICIES**

- 14.1 Where a redundancy situation involves a pool of staff comprising a higher number of individuals than the number of posts to be made redundant, selection criteria will be used to determine the candidate(s) best qualified to fill the available post(s), with those staff who are not selected to fill these posts being rendered redundant.
- 14.2 The selection process may involve interviews or may consist of a skills audit (further detailed below). Regardless of the method chosen (to differentiate between those members of staff deemed to be at risk of redundancy) the process will involve assessment against set performance criteria for those relevant post(s) which remain in the revised staffing structure.
- 14.3 The purpose of selection criteria is to ensure that employees are not unfairly selected for redundancy. The chosen criteria and method of selection must be consistently applied to all staff, and care must always be taken to ensure that selection criteria are not directly or indirectly discriminatory on grounds of protected characteristics (such as disability, race, gender, sexuality etc) as outlined in the Equality Act 2010 (with due regard to Public Sector Equality Duty).

- 14.4 The basis of selection will be dependent upon Brighter Futures Educational Trust financial, economic, technical, organisational and curriculum needs and requirements, with the most appropriate means of selection being determined by the circumstances of the individual situation.
- 14.5 When scoring on criteria such as absences, Brighter Futures Educational Trust will not count absences which are related to an employee's disability or which are related to relevant (in respect of the Equality Act) reasons (such as, for instance, pregnancy).
- 14.6 The criteria will be based on the necessity to retain a balanced workforce that has the appropriate skills to ensure continued success of the academy in respect of current and future curriculum needs and priorities, including those identified in the school improvement (or development) plan.
- 14.7 The selection criteria (examples of which are provided at Appendices 2 and 3) will be objective, fair and explicit and will be provided to all staff in advance of the process commencing. Recognised trade unions will also be consulted on the proposed criteria before selection takes place.

## **15. SKILLS AUDIT**

- 15.1 A regular audit of skills should be undertaken in respect of all members of staff. Such audits should identify situations in which a teacher or member of support staff could potentially offer second and even third subjects or areas of expertise as well as identifying specific interests of the individual and the focus of any training recently undertaken by them.
- 15.2 Brighter Futures Educational Trust's skills audit is a document on which detailed information can be entered in a logical manner. Dependent on the precise structure of the matrix, it should enable an individual to provide additional information relating to their relevant skills and qualifications. Employees will be expected to provide appropriate evidence of skills and experience detailed in this manner (such as qualification certificates etc).
- 15.3 Such audits will provide management with essential information necessary to determine the future optimum deployment of staff within the academy as well as refining the appropriate focus for continuing professional development.
- 15.4 In a redundancy situation the skills audit can be used by the employer to identify the profile of the employee and to ascertain their suitability for positions in the **new staffing structure of the academy**. It can thus help in the selection process by matching the skills audit against the selection criteria.

- 15.5 A skills audit can also be helpful in a redeployment situation, in that completion of the audit matrix can enable the individual to provide a breakdown of their skills, knowledge, experience and qualifications to enable them to be redeployed into another suitable position.
- 15.6 The skills audit document should ideally be updated every year to enable management to have a clear picture of the potential capabilities of their staff.

## **16. MATCHING SKILLS AUDIT AGAINST SELECTION CRITERIA**

- 16.1 Those employees directly affected by the proposals will be advised to include all relevant information in their skills audit and to ensure that they complete this document fully.
- 16.2 The aim of this exercise is to ensure that the matching process is fully informed by ensuring that the executive headteacher and/or trustees are apprised of the range and breadth of the knowledge and experience of their existing employees.
- 16.3 To provide a fair and transparent process all affected individuals will be asked to complete identical documentation.
- 16.4 These responses will be then evaluated within the matrix and scored appropriately. The employee(s) with the lowest score(s) will be at risk of potential redundancy.

## **17. LINKS WITH OTHER POLICIES**

- 17.1 Employees selected for redundancy, whether through the application of selection criteria (which may include skills audit) or by interview process, will be notified in writing of their provisional selection for redundancy and invited to attend a 'representation meeting' usually involving the decision makers. The employee is entitled to be accompanied in this meeting by a trade union representative or work colleague.
- 17.2 Employees will be informed of the time and location of this meeting no less than five working days in advance of the meeting date.
- 17.3 The 'representation letter' (invitation) will explain that the purpose of the meeting is to consider the potential termination of the employee's employment on the grounds of redundancy and will also clarify the employee's entitlement (as above) to be accompanied.

## **18. PRESENTATION MEETING**

- 18.1 In this meeting, management will explain the background including, where relevant, the application of selection criteria to the individual. The employee will be given a further opportunity to raise any factors they wish to have considered, including any potential for continued employment.
- 18.2 If any changes to the assessment against the criteria are felt appropriate (in other words, if the employee's scores are altered as a direct result of their representations, whether this is immediately or following an adjournment for fuller consideration of the issues) the employee will be informed of this accordingly. Alternatively, if there is no justification to revise the original outcome then the employee will be advised that the original score (and assessment) will not be altered.
- 18.3 Following this meeting, and having regard to any representations made, management will confirm the decision in writing. If the decision is taken that the employee remains at risk of redundancy, the employee will then be issued with a notice of redundancy.

## **19. REDUNDANCY NOTIFICATION LETTER**

- 19.1 It is considered good practice (before sending formal notice of redundancy) for relevant correspondence to be given to the employee in sufficient time for them to check that their length of service and weekly pay (as detailed on the redundancy estimate) is correct.
- 19.2 The employee will be formally notified in writing to confirm the decision that they are to be made redundant. This communication will specify both a termination date and (as and when applicable) the estimated amount of redundancy pay to which the employee will be entitled.
- 19.3 The formal notification letter, which may be either delivered by hand or sent by post (normally by recorded delivery), will also inform the employee of their right of appeal, and to whom any letter of appeal should be sent.
- 19.4 In addition to any redundancy payment entitlement employees should also be given the appropriate period of notice (or payment in lieu of notice) to which they are entitled.
- 19.5 The employee should also be advised that they will remain eligible to be considered for redeployment opportunities (in relation to which Brighter Futures Educational

Trust's Redeployment Policy provides further information) until their employment has ceased.

## **20. APPEAL**

- 20.1 The employee should state in writing their grounds for appeal within five working days of receipt of the redundancy notification letter.
- 20.2 The appeal hearing should be arranged within ten working days of receipt of the appeal letter.
- 20.3 The appeal should be heard by a panel of no less than three trustees, each of whom must have had no previous involvement in the redundancy process.

## **21. ELIGIBILITY FOR A REDUNDANCY PAYMENT**

- 21.1 A redundancy payment is based on actual weekly pay and is due only if the employee has completed at least two years' continuous service, which may include service with another organisation on the Redundancy Modification Order list. This list recognises employment by other (loosely related) organisations, such as time spent in the service of a local authority or working for other maintained schools and/or academies (all of which are regarded, for the purpose of redundancy, as representing one employer).
- 21.2 The ready reckoner (see Appendix 4) provides additional information on how redundancy payments are calculated.
- 21.3 An employee who has been given formal notice of redundancy will lose entitlement to a redundancy payment if they receive, before the dismissal takes effect, an offer of employment from a body specified in Schedule 2 of the Redundancy Payments (Continuity of Employment in Local Government etc) (Modification) Order 1999 and take up this offer within four weeks of the previous contract of employment ending. (In such circumstances there is no entitlement to 'compensation' for redundancy because the employee's continuity of service is preserved.)
- 21.4 To ensure that the appropriate payment is received, Brighter Futures Educational Trust will seek confirmation from those members of staff selected for redundancy that they will not, within four weeks of the date of redundancy, be taking up any other employment covered by the above Redundancy Modification Order.



## **22. NOTICE PERIODS**

- 22.1 The actual period of notice to be provided to staff will be in accordance with their contractual and statutory entitlements.
- 22.2 In relation to teaching staff, the academy should always be mindful of teacher termination dates to ensure that a proposed reduction in staffing is managed appropriately (in other words the timeline should ensure both that the academy meets the criteria for appropriate consultation and that management meet the deadline for the last date for notification of termination, in accordance with the information provided in Appendix 1).

## **23. ADVERTISING**

- 23.1 A newly created post which is substantially different from existing posts should be made available to all staff in Brighter Futures Educational Trust and should be advertised externally.
- 23.2 Any unfilled posts remaining at the completion of the process will be advertised in accordance with Brighter Futures Educational Trust's Recruitment Policy.

## **24. OTHER POLICIES AND PROCEDURES**

- 24.1 This policy will be supported by the following policies and procedures:
- Safer Recruitment Policy
  - Grievance Policy
  - Equal Opportunities Policy

## Appendix 1: Draft timetable for teacher redundancies

		Latest dates by which action must be taken		
		Spring	Summer	Autumn
1	Executive headteacher and trustees review future staffing needs involving HR provider	01 November	01 March	01 May
2	Inform unions affected employees and begin informal consultation with unions and staff (including seeking volunteers)	16 November	16 March	16 May
3	Formal consultation* must commence, led by trustees; trade unions to be given notification of redundancy situation, reasons for redundancy, potential selection criteria, etc.	01 December	01 April	01 June
4	Trustees to conclude formal consultation process, including timetable, final version of redundancy selection criteria, etc.	20 December	29 April	29 June
5	Staffing committee meets and selects staff who are potentially to be made redundant using selection criteria	31 December	30 April	30 June
6	Staff individually notified in writing of decision and arrangements for representation meeting	01 January	01 May	01 July
7	Representation meeting(s) held with affected staff and trade unions. Employee(s) informed of management decision in writing.	07 January	07 May	07 July
8	Notification of redundancy issued in writing with right of appeal	20 January	20 May	20 September
9	Potential last date for the school to issue notice**	31 January	31 May	30 September
10	Effective date of dismissal	30 April	31 August	31 December

**NOTE:**

*\*Consultation period must be measured in **working** weeks (or days)*

*\*\*Statutory notice periods may (where these are more generous) override contractual notice periods for teachers with more than eight years' service. Accordingly, the dates provided in row 9 above are deliberately timetabled to anticipate, and cover, this eventuality.*

## Appendix 2: Selection criteria – teaching staff

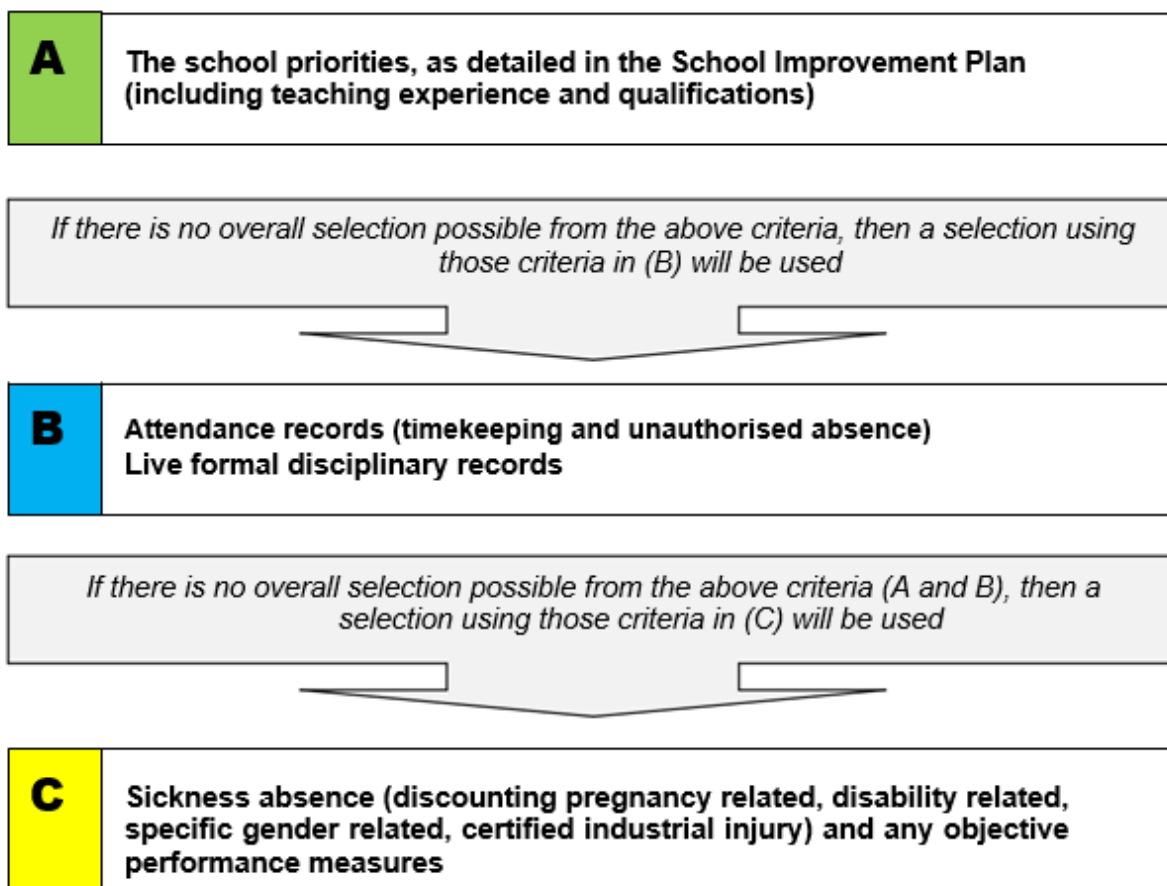
### Sample: teacher redundancy selection - primary school

Where measures to minimise redundancy fail to provide the revised size and composition of workforce required by the school, selection criteria will be used.

The selection criteria will be based on the needs of the school taking into account the School Improvement Plan and will be consulted with trades unions before any selection process commences.

#### **The following criteria will be used in a sequential basis.**

The criteria that should be taken into account are as follows:





Section A		
Criteria used in section A to be determined as relevant to the school/posts affected		
Qualifications	Points Available	Points Awarded
Relevant degree to current teaching (or equivalent)	15	
Higher professional qualification	15	
Teaching Experience (in the last 3 years)	Points Available	Points Awarded
Early Years Foundation	10 points per year (max 30)	
KS1	10 points per year (max 30)	
KS2	10 points per year (max 30)	
Specialist Subjects	10 points per year (max 30)	
Subject Leader/Aspect leader (specific subject)	10 points per year (max 30)	
Leading Practitioner	20	
Previous teaching in other schools within the last 3 years	15	
Leadership/Management (within last 2 years)	Points Available	Points Awarded
Senior Leadership Team	20	
Key Stage Co-ordinator	20	
	Points Awarded	
Total Points Awarded for Section A		

*If there is no overall selection possible from the above criteria, then a selection using those criteria in (B) will be used*



Section B		
Disciplinary	Points System	Points Awarded
No record "Live" first written warning "Live" final written warning	30 5 0	
Timekeeping	Points System	Points Awarded
Total No of unauthorised occasions arrive late (or leave early) over previous 3 years: 0 – 1 day 2 days 3 days 4 or more	30 20 10 0	
Unauthorised Absence	Points System	Points Awarded
Total number of occasions over previous 3 years: No record 1 occasion 2 occasions 3 or more	30 20 10 0	
	Points Awarded	
Total Points Awarded for Section B		

*If there is no overall selection possible from the above criteria (A and B), then a selection using those criteria in (C) will be used*



Section C		
Duration of Sickness	Points System	Points Awarded
<p>Total duration of sickness over the previous 3 years divided by the number of years from which records have been used:</p> <p>0 – 5 days</p> <p>&gt;5 and up to and including 10 days</p> <p>&gt;10 and up to and including 15 days</p> <p>&gt;15 days</p>	<p>15</p> <p>10</p> <p>5</p> <p>0</p>	
Frequency of Sickness	Points System	Points Awarded
<p>Total number of occasions of sickness over the previous 3 years divided by the number of years from which records have been used:</p> <p>0 – 2</p> <p>&gt;2 up to and including 3 occasions</p> <p>&gt;3 up to and including 4 occasions</p> <p>&gt;4 up to and including 5 occasions</p> <p>&gt;5 occasions</p>	<p>20</p> <p>15</p> <p>10</p> <p>5</p> <p>0</p>	
Note: pregnancy related absence and absence related to disability must be excluded		
	Points Awarded	
Total Points Awarded for Section C		

**In the event of a tie breaker being required 'Last In First Out' (LIFO) may be used.**  
**For illustrations of the application of the points based systems please see below.**

### Illustration: application of the points assessment scheme

The following illustration assumes no selection can be made using selection criteria A, because 'Employee 1' and 'Employee 2' score equally under A. It therefore becomes necessary to look at selection criteria B.

'EMPLOYEE 1'		'EMPLOYEE 2'	
CRITERIA	POINTS AWARDED	CRITERIA	POINTS AWARDED
<b>Discipline</b> First written warning in force	5	<b>Discipline</b> No disciplinary record	30
<b>Timekeeping</b> Total of 17 occasions over 3 years	0	<b>Timekeeping</b> Total of 0 occasions over 3 years	30
<b>Unauthorised Absence</b> Total of 1 occasion over 3 years	10	<b>Unauthorised Absence</b> Total of 0 occasion over 3 years	30
<b>TOTAL POINTS AWARDED</b>	<b>15</b>	<b>TOTAL POINTS AWARDED</b>	<b>90</b>

In the above illustration 'Employee 1' (15 points) would be selected for redundancy rather than 'Employee 2' (90 points)

The following illustration assumes no selection can be made using selection criteria A, because 'Employee 3' and 'Employee 4' score equally under A. It therefore becomes necessary to look at selection criteria B.





'EMPLOYEE 3'		'EMPLOYEE 4'	
CRITERIA	points awarded	CRITERIA	points awarded
<b>Selection Criteria B</b>			
<b>Discipline</b> No record	30	<b>Discipline</b> No record	30
<b>Timekeeping</b> Total of 1 occasion over 3 years	30	<b>Timekeeping</b> Total of 3 occasions over 3 years	10
<b>Unauthorised Absence</b> Total of 1 occasion over 3 years	10	<b>Unauthorised Absence</b> Total of 0 occasion over 3 years	30
<b>Total Points Awarded For Selection Criteria B</b>	<b>70</b>	<b>Total Points Awarded For Selection Criteria B</b>	<b>70</b>

As the candidates remain tied after selection from Criteria A and B (above) it therefore becomes necessary to progress to Criteria C (below).

<b>Selection Criteria C</b>		
<b>Duration of Sickness</b> Total of 32 days over 3 years Average duration per annum = $32/3 = 10.66$	5	<b>Duration of Sickness</b> Total of 11 days over 3 years Average duration per annum = $11/3 = 3.66$ days
<b>Frequency of Sickness</b> Total of 11 occasions over 3 years Average frequency per annum = $11/3 = 3.6$ occasions	10	<b>Frequency of Sickness</b> Total of 2 occasions over 3 years Average frequency per annum = $2/3 = 0.66$ occasions
<b>Total Points Awarded For Selection Criteria C</b>	<b>15</b>	<b>Total Points Awarded For Selection Criteria C</b>
		<b>35</b>

In the above illustration 'Employee 3' (15 points) would be selected for redundancy rather than 'Employee 4' (35 points). In this example there are no pre-recorded objective performance measures which could be taken into account.

## Appendix 3: Selection criteria – support staff

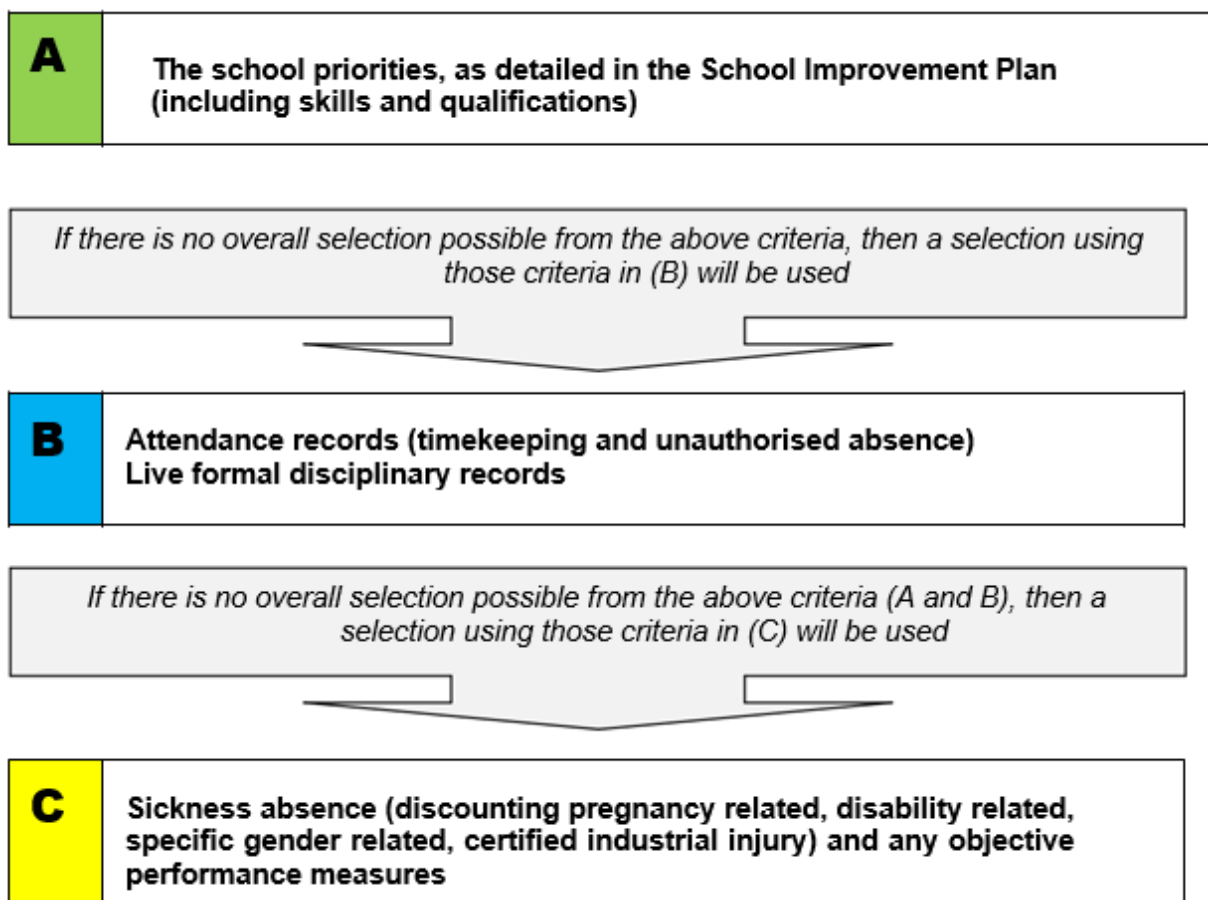
### Sample: redundancy selection criteria

Where measures to minimise redundancy outlined in Section 3 fail to provide the revised size and composition of workforce required by the school, selection criteria will be used.

The selection criteria will be based on the needs of the school taking into account the School Improvement Plan and will be consulted with trades unions before any selection process commences.

#### **The following criteria will be used on a sequential basis.**

The criteria that should be taken into account are as follows:





<b>Section A</b>		
Criteria used in A to be determined as relevant to the school/posts affected		
<b>Qualifications</b>	<b>Points Available</b>	<b>Points Awarded</b>
GCSE in Mathematics and English – Grade C or above / New grade 9 to 4 (or equivalent)	15	
Any other relevant formal qualifications (and points allocated against each) such as NNEB, ICT (school to state relevant level)	5 points for each relevant qualification	
<b>Experience (in the last 3 years)</b>	<b>Points Available</b>	<b>Points Awarded</b>
Working as Support/Teaching Assistant	10 points per year (max 30)	
Working in a school environment (school to give specific examples)	10 points per year (max 30)	
SEN experience (at least one year)	10 points per year (max 30)	
Knowledge of specific subject area (such as early years curriculum)	10 points per year (max 30)	
Gained HLTA status	30	
Successfully led intervention programmes (give examples)	5 points per programme (max 30)	
<b>Leadership/Management (within last 2 years)</b>	<b>Points Available</b>	<b>Points Awarded</b>
Member of the Leadership Team	20	
	<b>Points Awarded</b>	
<b>Total Points Awarded for Section A</b>		

*If there is no overall selection possible from the above criteria, then a selection using those criteria in (B) will be used*



Section B		
Disciplinary	Points System	Points Awarded
No record "Live" first written warning "Live" final written warning	30 5 0	
Timekeeping	Points System	Points Awarded
Total number of unauthorised occasions arrive late/leave early over past 3 years: 0 – 1 day 2 days 3 days 4 or more	30 20 10 0	
Unauthorised Absence	Points System	Points Awarded
Total number of occasions over past 3 years: No record 1 occasion 2 occasions 3 or more	30 20 10 0	
	Points Awarded	
Total Points Awarded for Section B		

*If there is no overall selection possible from the above criteria (A and B), then a selection using those criteria in (C) will be used*



Section C		
Duration of sickness	Points System	Points Awarded
<p>Total duration of sickness over the previous 3 years divided by the number of years from which records have been used:</p> <p>0 – 5 days</p> <p>&gt;5 and up to and including 10 days</p> <p>&gt;10 and up to and including 15 days</p> <p>&gt;15 days</p>	<p>15</p> <p>10</p> <p>5</p> <p>0</p>	
Frequency of sickness	Points System	Points Awarded
<p>Total number of occasions of sickness over the previous 3 years divided by the number of years from which records have been used:</p> <p>0 – 2</p> <p>&gt;2 up to and including 3 occasions</p> <p>&gt;3 up to and including 4 occasions</p> <p>&gt;4 up to and including 5 occasions</p> <p>&gt;5 occasions</p>	<p>20</p> <p>15</p> <p>10</p> <p>5</p> <p>0</p>	
Note: pregnancy related absence and absence related to disability must be excluded		
	Points Awarded	
Total Points Awarded for Section C		

**In the event of a tie breaker being required 'Last In First Out' (LIFO) may be used.**

**For illustrations of the application of the points based systems see Appendix 2.**

## Appendix 4: Ready reckoner for redundancy payments

		Service (years)																		
		2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20
Age (years)	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

		Service (years)																			
		2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	
Age (years)	45	3	4%	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	
	46	3	4%	6	7%	8%	9%	10%	11%	12%	13%	14%	15%	16%	17%	18%	19%	20%	21%	22%	
	47	3	4%	6	7%	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	
	48	3	4%	6	7%	9	10%	11%	12%	13%	14%	15%	16%	17%	18%	19%	20%	21%	22%	23%	
	49	3	4%	6	7%	9	10%	12	13	14	15	16	17	18	19	20	21	22	23	24	
	50	3	4%	6	7%	9	10%	12	13%	14%	15%	16%	17%	18%	19%	20%	21%	22%	23%	24%	
	51	3	4%	6	7%	9	10%	12	13%	15	16	17	18	19	20	21	22	23	24	25	
	52	3	4%	6	7%	9	10%	12	13%	15	16%	17%	18%	19%	20%	21%	22%	23%	24%	25%	
	53	3	4%	6	7%	9	10%	12	13%	15	16%	18	19	20	21	22	23	24	25	26	
	54	3	4%	6	7%	9	10%	12	13%	15	16%	18	19%	20%	21%	22%	23%	24%	25%	26%	
		55	3	4%	6	7%	9	10%	12	13%	15	16%	18	19%	21	22	23	24	25	26	27
		56	3	4%	6	7%	9	10%	12	13%	15	16%	18	19%	21	22%	23%	24%	25%	26%	27%
57		3	4%	6	7%	9	10%	12	13%	15	16%	18	19%	21	22%	24	25	26	27	28	
58		3	4%	6	7%	9	10%	12	13%	15	16%	18	19%	21	22%	24	25%	26%	27%	28%	
59		3	4%	6	7%	9	10%	12	13%	15	16%	18	19%	21	22%	24	25%	27	28	29	
	60	3	4%	6	7%	9	10%	12	13%	15	16%	18	19%	21	22%	24	25%	27	28%	29%	
	61+	3	4%	6	7%	9	10%	12	13%	15	16%	18	19%	21	22%	24	25%	27	28%	30	

## Note

The Redundancy Payments (Continuity of Employment in Local Government, etc) (Modification) Order 1999 modifies certain provisions of the Employment Rights Act 1996 (as amended) concerning redundancy payments in their application to individuals employed by local authorities or certain other bodies, most of which are local or regional.

The effect of the modifications is that an individual's service with a succession of employers is treated as continuous for the purpose of determining their entitlement to a redundancy payment or the amount of any such payment.

Employees require a minimum of 2 years' continuous service to qualify for a redundancy payment and the length of service taken into consideration in calculating the amount payable is capped at 20 years.