The Skinners’ School

Redundancy and Redeployment Policy

1. Introduction

2. Definition of Redundancy Situation
   2.1 Procedure - Stage 1 Determining that a potential redundancy situation exists.

3. Consultation
   3.1 Procedure - Stage 2 Early and formal consultation.

4. Avoidance Measures
   4.1 Procedure - Stage 3 Consideration of avoidance measures (including volunteers).

5. Selection for Redundancy
   5.1 Procedure - Stage 4 Selection for compulsory redundancy.

6. Appendix 1 - Selection Criteria.

7. Appendix 2 - Redundancy Payments/Alternative employment/Trial Periods/Notice.

8. Appendix 3 - Procedure for representations (Stage 4).

9. Appendix 2 - Appeals Procedure (Stage 5).

10. Appendix 4 - Summary of Procedure.

March 2006
Redundancy and Redeployment Procedure for Schools with Delegated Budgets

1. **Legal Responsibility for Governing Bodies**

   (a) Under the School Standards and Framework Act 1998, it is clearly stated that the Governing Body of a school with a delegated budget has the power to appoint and dismiss staff (in the case of Foundation/Voluntary Aided schools as separate employers) or to instruct the LEA to do so (in the case of Community Schools). However, there are responsibilities associated with these powers, and this procedure sets out these responsibilities with a recommended procedure for exercising them legally and fairly in respect of redundancy and redeployment.

   (b) It should also be noted that Kent County Council pays any legal costs that arise from unfair dismissal cases, but the Council reserves the right to pass these on to the school budget, unless the Governing Body follows LEA advice.

   (c) A decision by a Governing Body to make staffing reductions usually has a huge effect on employee morale, and this must be reflected in sensitive handling of the process.

2. **What is Redundancy?**

   (Employment Rights Act 1996)

   This occurs when an employee is **dismissed** because:

   “The employer ceases, or intends to cease, to carry on the business for the purposes of which the employee is employed by him, or has ceased, or intends to cease, to carry on the business in the place where the employee was so employed”.

   i.e., The school closes

   “The requirements of the business for employees to carry out work of a particular kind have ceased or diminished, or are expected to do so”.

   i.e., Need for work ended or diminished

   “The requirements of the business for employees to carry out work of a particular kind in the **place** where the employee is employed have ceased or diminished, or are expected to do so”.

   i.e., May no longer need particular skills in the same location.

   The definition of redundancy for consultation has been widened to include any dismissals for reasons not related to the individual.

   NB. Capability and conduct must be dealt with under other procedures.
2.1 Procedure

2.1.1 The Headmaster gathers all relevant information on the needs of the school, the costs of current resources, forecast budget outturns etc and discusses these with relevant Advisers, then with the Governing Body.

2.1.2 Where the Governing Body believes that no other reasonable alternatives exist, they should instruct the Headmaster to commence early consultation with recognised trade unions and staff on a potential redundancy situation.

The Governing Body should also establish a Redundancy Committee of one or more governors (statutory guidance recommends 3 or 2, although it should be noted that the latter could result in a split decision) which will have delegated responsibility to consult formally with trade unions, and carry out any redundancy selection with advice from the Headmaster and the Personnel Adviser. It should also establish an Appeals Committee (one or more governors -statutory guidance recommends 3, or 2), which will take no further part in discussions on the subject, so that appeals against any dismissal recommendations can be heard without prejudice. These governors must be different from those in the Redundancy Committee.

In the unlikely event that 20 or more dismissals are possible, there will also be a need to notify the Secretary of State for Trade & Industry, and advice should be sought from the Personnel Adviser.

3. Consultation

(Trade Unions and Labour Relations (Consolidation) Act 1992; Collective Redundancies and Transfer of Undertakings (Protection of Employment) (Amendment) Regulations 1995)

Some key points to be noted are that regardless of the numbers of potential redundancies, it is the Authority’s policy that consultation must:

* include reasonable notice of consultation meetings,  
* be at the earliest opportunity (sometimes even before all the information is available) with staff and TU’s and be meaningful; take place even if those who may be declared redundant are not union members, and must still consult the trade union recognised for the employee group/s concerned.  
* be formal via formal consultation letter to trade unions which will include disclosure of certain information required by law.  
* be “with a view to reaching an agreement”  
* include notification to Secretary of State through HR1 (where relevant)  
* include an examination of ways of  
  - avoiding the dismissals (see Section 4)  
  - reducing the numbers of employees to be dismissed  
  - mitigating the consequences of dismissals
For the purposes of collective bargaining, the consultation requirement applies to any potential dismissal where the reason is not related to an individual (e.g., performance or conduct) and can include dismissals arising from a restructuring of work, or terminating and re-engaging on new terms and conditions.

* It should be noted that consultation must also take place with individual employees as previous cases have shown that any dismissal could otherwise be procedurally unfair.

3.1 Procedure

3.1.1 Early Consultation

The Headmaster arranges (by giving at least 5 working days notice) to meet with representatives of recognised trade unions (contact Education Personnel for names/addresses) and a Personnel Adviser at the school, to be followed by a meeting with all potentially affected staff. This can take place immediately afterwards or at another agreed time.

Either at or (preferably) before the first meeting, the Headmaster will provide copies of relevant written confirmation on things such as the school budget position, forecast pupil numbers, curriculum audit, staffing list, and a draft timetable for implementation of redundancies. At the meeting, the Headmaster should explain the problem, and identify the proposed unit of selection if it is not the whole school, respond to any queries, note any suggestions from trade unions for further research and report to the Redundancy Committee at its next meeting. The trade union representatives and Personnel Adviser will remain present at the meeting with staff during which the situation will be explained and staff will have the opportunity to ask questions and suggest alternatives. Staff should also be given the opportunity to meet separately with their union representative, and the trade union be given the opportunity to raise any concerns that arise with the Headmaster.

3.1.2 Formal Consultation

Where no immediate practical alternatives to resolve the matter are found at the Early Consultation stage, the Redundancy Committee must meet to start formal consultation with the advice from the Personnel Adviser.

Under Section 188 of the Trade Union Labour Relations (Consolidation) Act 1992, consultation should be commenced as soon as the employer has formed proposals. The proposals may be modified in the course of consultation, but they must be made. The information that has to be disclosed must cover the following items:

(a) the reasons for the proposals;

(b) the number and description of employees proposed for dismissal on grounds of redundancy;
(c) the total number of employees of any such description employed at the establishment;

(d) the proposed method of selecting employees who may be dismissed’ (see Appendix 1 for some recommended selection criteria) including a copy of the proposed staff audit form.

(e) the proposed method of carrying out the dismissals, including the period of which the dismissals are to take effect; (it is helpful for the purposes of trade union representative availability to set out a draft timetable for all the important stages)

(f) method of calculating redundancy payments is recommended unless there are exceptional circumstances or a shorter time is agreed.

Trade unions in receipt of a Section 188 letter must be given a reasonable time in which to consider the proposals and to make a reply, normally a minimum of 3 working weeks. The employer must consider any representations made by the unions and give written reasons for rejecting them.

4. Avoidance of Redundancy

Governing Bodies are legally obliged to consult meaningfully on measures to avoid redundancy. Some of these measures are entirely under the control of the Governing Body, and others may require support from the County Council. All of these measures should be considered before and throughout the process, and it should be noted in particular that there is a legal obligation on the Governing Body to make reasonable efforts to find suitable alternative employment within the school.

Restrict recruitment
Retirement of those over normal retirement age
Reductions in overtime
Ending of short-term contracts (please seek professional advice)
Internal organisation - restructuring
Natural wastage
Retraining
Secondments
Support for employees to find suitable alternative employment either within the school, in another Kent school or within Kent County Council
Early Retirement/"Voluntary" redundancy within the terms of the County Council’s policy

4.1 Procedure

4.1.1 Internal Management

(a) Redundancy Committee confirms with Headmaster that all practical avoidance measures within the school are being considered before beginning formal consultation.
4.1.2 Secondment/Redeployment/Employment Elsewhere

(a) As soon as consultation with staff commences Headmaster arranges for counselling/support interviews with Advisers where appropriate.

(b) Headmaster discusses references with those staff looking for employment outside the school.

(c) Headmaster to use Personnel Adviser to arrange for appropriate support in terms of CV preparation etc.

(d) Headmaster asks Personnel Adviser to explain any salary protection arrangements (and compensation for any extra travelling costs) to staff concerned.

(e) Headmaster asks Personnel Adviser to explain the function of Kent County Council’s ‘Redeployment Forum’ for support staff who are ‘at risk’ of redundancy, and to clarify that KCC has no power to insist that the Governing Body of any school must appoint someone ‘at risk’ in another Kent school.

4.1.3 Early Retirement/"Volunteers” for Redundancy

Under the 1998 School Standards and Framework Act, the Governing Body has the power to decide the terms under which an employee at the school leaves, either under “the efficient exercise of the Authority’s functions”, or under redundancy. These costs will be met by the Authority, but all cases must be approved in writing by the Authority before the employee can be released.

The costs, especially of early retirement, have risen enormously recently and the Authority has revised its redundancy and early retirement discretionary enhancements policy accordingly (copies of the policy available from Schools Personnel Service).

Governing Bodies should note that any costs outside of this policy will be passed back to the school budget, and should also note that they are limited in any event to the enhancement/severance terms set by the DFES and the Local Government Pension Scheme.

(a) At the stage of Early Consultation, the Headmaster asks all staff in the unit of selection for potential volunteers to express an interest by a certain date. It should be stressed that this is totally without prejudice, i.e., that this does not commit the employee, the Governing Body or Kent County Council at this stage, and will not influence any process of selection.

Any requests for estimates of terms will be passed to the Personnel Adviser for processing.

(b) Once the employee has had the chance to consider the estimate of terms, he/she should be asked to confirm their interest in writing though this would not guarantee agreement by the Governing Body/KCC at this stage.
(c) Headmaster must discuss each case with the Personnel Adviser, to clarify how far KCC will support the case and/or its costs before Redundancy Committee meets to approve or select voluntary applicants. Where there are too many suitable volunteers, the Redundancy Committee will need to apply the selection criteria to reach a decision. The Redundancy Committee then writes to the Authority requesting approval of their recommendations with reasons.

(d) Any volunteers not accepted have no right of appeal against this decision, although the Redundancy Committee should give their reasons(s).

5. **Selection for Redundancy**

5.1 **Planning/Timing**

(a) It should be recognised that achieving staffing reductions in schools legally and fairly requires a lot of planning.

(b) In addition to proper consideration and counselling for employees, the contractual/statutory notice periods for staff must be taken into account if the Governing Body needs to achieve the reductions.

(c) Consideration should also be given to the timing of appeals. They should not take place before notice of termination of employment has been given but can take place during notice periods.

(d) Depending on the complexity of the consultation process, the time required to complete the process can be anything from 8-14 working weeks plus a Notice Period of up to 12 weeks depending on the individual’s contract of employment and length of service with KCC.

5.2 **Procedure**

(a) Once the Redundancy Committee has replied to any written responses from trade unions at the Formal Consultation stage, and sufficient volunteers have not been found and agreed, the Headmaster should be asked to issue ‘at risk’ letters to all staff in the unit of selection together with a staff audit form (and a copy of the selection criteria) for completion and return within one week.

(b) The Redundancy Committee must then meet and, with advice from the Headmaster and the Personnel Adviser, select employee(s) for redundancy by matching the selection criteria agreed during consultation to the information contained on the ‘anonymous’ audit forms. (The Headmaster removes the names from the Redundancy Committee’s copies prior to selection to encourage objectivity in the selection process).
(c) The employee(s) selected should be informed by the Redundancy Committee in writing, and will be given the opportunity to make representations against its decision at a date/time already communicated to staff and trade unions (usually within one week of the selection meeting). The employee(s) must be given the opportunity to be represented by a trade union representative or workplace colleague at that meeting. The meeting may be postponed for up to 5 working days (or longer by agreement) if the TU representative or workplace colleague cannot attend. In addition, if the employee is ill, arrangements will need to be made for a reasonable alternative date.

(d) The Redundancy Committee must not reach a firm decision until after employees have had the opportunity to make representations to them, and the Committee have had the chance to consider these carefully. (See Appendix 3). Where employee(s) make representations, the Committee should give their decision, in the light of these representations, in writing, including the right to appeal. The justification for the recommendation should be carefully recorded. Individuals who have chosen not to make representations must also be informed in writing of their right of appeal. For Community and Voluntary Controlled Schools, the LEA must be asked in writing by the Chair of Governors to issue notice.

(e) Once an employee has been issued notice of the termination of employment on grounds of redundancy, the school and KCC will continue to assist in efforts to secure redeployment.

Ways of assisting with redeployment and the conditions surrounding redundancy payments can be found in Appendix 2.

(f) The Appeals Committee will hear any appeals from employees against the decision of the Redundancy Committee, according to the procedure set out in Appendix 4.

If the appeal is dismissed, the decision will be confirmed to the employee and trade unions in writing.

(g) It is possible that employees who have been accepted as volunteers for redundancy, or who have been selected for compulsory redundancy, are offered suitable alternative posts either in the same school (or possibly even in another maintained school) - for example because another member of staff resigns! This can occur even in the contractual notice period. Employees who unreasonably refuse suitable alternative posts may lose their entitlement to redundancy payments.

(h) Employees and their trade unions have the right to raise claims of unfair selection for redundancy with an Employment Tribunal - any case found against the school could result in reinstatement, re-engagement or substantial financial compensation.
6. **Compulsory Redundancy**

Where the options outlined for avoidance of compulsory redundancy have not produced sufficient volunteers the Redundancy Committee will select individual members of staff strictly in accordance with previously identified selection criteria.

6.1 **Unit of Selection for Redundancy**

The whole school establishment affected by the redundancies is the “unit of selection”, unless the school can objectively justify a smaller unit/ specific staff group.

6.2 **Compulsory Redundancy Selection Criteria**

The criteria for selection for redundancy adopted by the Redundancy Committee are a vital element in assessing whether redundancies have been fairly carried out. Objective criteria, precisely defined and capable of being applied in an independent way must be used when determining which employees are selected for redundancy. Governing bodies should, in consultation with the recognised trade unions, apply the following selection criteria, when enforcing redundancies:-

(a) Curriculum, Pastoral and organisational needs of the school will be clearly identified.

(b) Qualifications and relevant experience of staff together with skills will be clearly identified, e.g., qualifications; particular subject expertise; flexibility across subject areas as demonstrated either by current actual teaching and/or qualifications and/or past actual teaching; qualifications or experience in relevant subject areas; qualifications or experience to teach certain levels and additional relevant qualifications/training. The above are given as examples of factual matters capable of verification that may be applied in assessing the current staffing resources.

Formal disciplinary (and performance) records, and absence records may be used but they must be consistently and equitably applied with advice from the Personnel Adviser. There is a risk of unlawful discrimination against employees with disabilities, if absence records are used. Disciplinary (and performance) records need to be substantial if they are to be seen as relevant. Governing Bodies should therefore use these criteria only with extreme caution and detailed professional advice.

(c) The needs of the school will be matched with the staff that are available using criteria under (b) above.

Such detailed analysis will ensure that the school retains the staff it needs based on its requirements and that the staff to be retained have the best quantifiable skills and experience for those requirements.
(d) If all else is equal then LIFO (last in first out) shall be applied based on continuous Kent County Council service (or continuous service with the Governing Body as employer in the case of Foundation/Voluntary Aided schools.

(e) Proposals based on the above should be made by Redundancy Committee for meaningful consultation with the recognised trade union(s) at the Formal Consultation stage.

6.2.1 Skills and Experience

The type of skills and experience relevant to the type and level of work to be performed, should be clearly defined and an employee’s total career history examined against this criteria. The Headmaster must ensure that the records used for this purpose are complete and accurate, and that the individual is fully consulted. For example, by using staff audit forms.

6.2.2 Application of Selection Criteria

The drawing up of objective criteria is not by itself enough to guarantee fair and reasonable selection. Selection will be unfair if the criteria are unreasonably or carelessly applied. Governing bodies must therefore be able to demonstrate that there has been comparative analysis of information relating to all employees in the unit of selection and that the criteria have been applied objectively.
7. **Redundancy Payments: Alternative Employment; Notice**

7.1 **Employee Rights to Redundancy Payments**

Redundancy payments will be calculated in accordance with a formula laid down in statute. There are, however, two additional rules which apply to all staff in the County Council.

(i) Redundancy payments are normally based on an employee’s actual weekly pay, and are not subject to the limit in the statutory scheme.

(ii) As a result of the Redundancy Payments (Local Government) (Modification) Order 1983, an employee is entitled to receive a redundancy payment based on all continuous local government and related service (subject to maximum 20 years). This also means that, if an employee who has been given notice of redundancy receives an offer (made prior to the date of redundancy) of suitable alternative employment in local government or a related service, to commence within four weeks of their date of termination, there will be no entitlement to a redundancy payment.

The regulations are complex and advice should be sought from Personnel. A list of the main employers covered by the Order can be provided.

7.2 **Redundancy Payments and Unemployment Benefit**

Where an employee has indicated that he/she wishes to be considered as a volunteer for redundancy then it will be for the Redundancy Committee body to make the actual selection. The employee should, therefore, be regarded as having been dismissed on grounds of redundancy in order that a redundancy payment and unemployment benefits may be paid (provided that other eligibility criteria are met). It is important to make this clear in any notification to the public agencies as circumstances have occurred where there has been negotiation for early retirement under a premature retirement scheme and the termination of the appointment has been considered to be by mutual consent, thus invalidating any redundancy payment or unemployment benefit claim.

7.3 **Alternative Employment**

7.3.1 The Governing Body has a legal responsibility to seek alternative employment for an employee within the school. Where this is not possible, and the Governing Body have bought into a service package from the Schools Personnel Service, they should contact Personnel for support to seek alternative employment within Kent County Council and follow steps set out in 4.1.2.
7.3.2 **Offer of Alternative Employment**

Consideration must be given as to whether employees likely to be affected by redundancy can be offered suitable alternative work. Employees who unreasonably refuse an offer of suitable alternative employment may lose any entitlement to redundancy pay. It is important therefore to be clear whether or not the alternative work is considered suitable and whether an employee’s refusal is reasonable or not. The ‘suitability’ will depend upon a number of factors including pay, status, location and working environment. An unreasonable refusal may arise where the differences between the old and the new job are negligible but refusal may be reasonable if there is a significant change, for example in working hours or location.

Offers of alternative employment must be in writing and must include, as a minimum, the following details:-

(i) The type of work to be undertaken and the training to be given, where appropriate;

(ii) Job title;

(iii) The location of the new job;

(iv) The rate of pay applicable to the appointment and any other terms and conditions of service which differ from those of the previous appointment;

(v) The salary protection offered;

(v) The hours of work; and

(vii) The date of commencement and the date of the end of any trial period;

(viii) That an unreasonable refusal to accept an offer of suitable alternative employment will disqualify the entitlement to redundancy payment.

7.3.3 **Personal Circumstances**

Offers of suitable alternative employment must take account of the circumstances of employees, e.g., ability to travel, disability, special family circumstances, status of postholder.

7.3.4 **Alternative Employment - Trial Periods**

In the event that an employee under notice of redundancy is offered alternative employment under a new contract of employment with terms and conditions that differ (wholly or in part) from the corresponding provisions of the previous contract, the governing body has a legal obligation to give the employee a trial period of at least four weeks in which to make up his/her mind about the job and this offer
should be in writing. This statutory four-week trial period should begin when the old contract expires. If the trial period is unsuccessful, the employee will be redundant on the same terms that applied at the end of the original contract.

(a) During the trial period the employee is free to terminate the new contract, for whatever reason, and on termination to be treated as though he/she had been dismissed on the date the previous employment ended. If the employee’s reasons for termination of the trial period are considered unreasonable, he/she may lose entitlement to a redundancy payment.

(b) If the employee works beyond the end of the four-week trial period and no express extension has been agreed in writing, as set out above, the employee will be deemed to have accepted the new employment and any redundancy entitlement will be lost.

A trial period longer than the statutory period of four weeks (but only where this is necessary for retraining purposes) may be agreed with the employee. Such an agreement must be in writing setting out the start and finish of the extended trial period and the employee’s terms and conditions after it ends. The offer should also state that:

7.3.5 **Time Off to Seek Alternative Employment**

(a) An employee who is given notice of dismissal for reasons of redundancy has the right, before this notice expires, to reasonable paid time off from work in order to look for new employment or make arrangements for training for future employment.

(b) This provision relates only to those employees who have been continuously employed for two years or more. But where it does not apply the governing body should still allow employees to take reasonable paid time off for the reasons specified in (a) above.

7.4 **Notice**

7.4.1 Once notice has been given in writing, it can only be withdrawn by mutual consent. If, for example, a teacher is given notice, and subsequently a suitable vacancy arises due to another teacher leaving, the notice given cannot be unilaterally withdrawn. Of course, the Governing Body would have a legal obligation to offer the post to the teacher under notice, and the teacher would have to accept the offer, even during a notice period, or risk losing entitlement to all redundancy benefits.
7.4.2 **Outstanding Leave under Notice**

Employees should be told of any outstanding leave which they must take during the notice period if this is at all possible. In the event that this is not possible, the employee will be paid in lieu for any outstanding leave not taken. (This normally only applies to support staff in schools).
Guidance notes for the hearing of REPRESENTATIONS from an individual who has been selected for redundancy by the Redundancy Committee of a school Governing Body.

1. It is a requirement of the Schools Standards and Framework Act 1998 that any school employee who is dismissed must be given the opportunity to make representations as to the proposed dismissal, and the Governing Body must have regard to such representation.

2. Individuals who have been identified by the Redundancy Committee as potentially redundant must be advised in writing by the Chairman of the Committee of their selection for redundancy and their right to make representations against their selection to the Redundancy Committee. A copy of the letter should be provided directly to (or for) the person’s representative. Procedurally there is no set timescale for this but custom and practice has allowed a week between selection by the Redundancy Committee and them reconvening to hear representation.  THIS IS SEPARATE FROM THE INDIVIDUAL’S RIGHT OF APPEAL TO THE APPEALS COMMITTEE.

The individual has the right to have the date of the hearing postponed for upto 5 working days (or longer by agreement) if their TU representative or workplace colleague cannot attend. In addition, if the employee is ill, arrangements will need to be made for a reasonable alternative date.

3. Present at the meeting will be the Redundancy Committee, the Headmaster as adviser to the panel, a Personnel Adviser, the individual and his/her representative. The Committee should have available to them all the documentation used in the selection. These documents are not for general circulation and should remain confidential to the Committee.

4. This meeting is not an opportunity for the employee to add to information already given on the audit form, nor should comments be made on the performance, conduct, skills etc. of other individuals.

5. The Headmaster will present the reasons which led to the provisional selection of the employee, and the employee or his/her representative should be then given the opportunity to ask questions. The employee or his/her representative will then present reasons why he/she should not be selected, and the Headmaster be given the opportunity to ask questions. The Redundancy Committee should ensure that they also have the opportunity to ask questions of all parties themselves.

6. At the end of the meeting the employee may ask the Committee to reconsider its provisional selection decision, in which case the employee, his/her representative, and the Headmaster will withdraw whilst the committee makes its decision. The Personnel Adviser will remain in the room to give further advice where necessary.

If the Committee wish to ask further questions of the Headmaster, all parties will return to the room.
7. The employee, his/her representative and the Headmaster return to hear the decision which will be confirmed in writing. If the Committee confirm their provisional decision to dismiss, the employee must be given their right to appeal to the Appeals Panel. (This right should also be given to individuals who decide not to make representations at this stage).

8. In Community and Voluntary Controlled Schools, the Chair of Governors will ask the LEA to issue notice of termination in line with contractual/statutory notice requirements and also allowing reasonable time for the LEA to carry out the request (a minimum of 14 days).
8. **Appeals Procedure**

8.1 An employee who is aggrieved at the Redundancy Committee’s decision to terminate his/her employment by reason of redundancy has the right of appeal to the Appeals Committee.

8.2 The appeal must be communicated in writing by the employee or his/her representative not later than five working days after receipt of the letter advising of his/her termination of employment, and provide clear reasons which must relate to some perceived failure in the application of the selection criteria or procedure, this must be addressed to the clerk to the governing body.

8.3 The hearing shall normally be held within 10 working days of the receipt of the employee’s appeal. Only in exceptional circumstances should this time limit be extended and, where this is necessary, the employee shall be advised of the reasons for such a delay. It is advisable to set the date(s) of possible appeals at the early planning stage, and seek to agree these at a later date.

8.4 The employee shall be advised in writing of the date, time and place of the hearing and that he/she has the right to be represented, either by a trade union representative or workplace colleague.

8.5 The appeal shall be heard by the Appeals Committee. The Chairman of the Redundancy Committee and/or the Headmaster advising on the application of the selection procedure and the aggrieved employee and his/her representative shall be entitled to attend and be heard. The Appeals Committee will be advised by a Personnel Adviser not previously involved.

8.6 The Chairman of the Redundancy Committee and/or Headmaster shall put his/her case and the employee (or his/her representative) shall have the opportunity to ask questions. The Committee may ask questions of the Chairman of the Redundancy Committee and/or Headmaster.

The employee (or his/her representative) shall put his/her case and the Chairman of the Redundancy Committee and/or Headmaster shall have the opportunity to ask questions. The Panel may ask questions of the employee (or his/her representative).

8.7 At the end of the hearing the Committee shall consider the evidence given, ask further questions of either party if necessary and shall make their decision, after taking any LEA advice into account.

8.8 The employee shall be informed as quickly as possible after the hearing of the Panel’s decision and the reasons for it by the Chairman of Appeals Panel. This decision and the reasons for it shall then be confirmed in writing to the employee and a copy sent to his/her representative. The Committee’s decision shall be final.
8.9 Where the decision is made to dismiss the employee’s appeal, the full governing body will be informed. Where the decision is made to uphold the employee’s appeal the full governing body will be informed, and the matter will be referred back to the Redundancy Committee.
## Summary of Procedure

<table>
<thead>
<tr>
<th>Activity</th>
<th>Responsible Party</th>
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<tbody>
<tr>
<td>Establish that potential redundancy situation exists</td>
<td>Governing Body</td>
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<tr>
<td>Consult meaningfully with trade unions and employees</td>
<td>Headmaster and Redundancy Committee</td>
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<tr>
<td>Consider and implement all possible avoidance measures including the consideration of volunteers and provide support for staff</td>
<td>Headmaster and Redundancy Committee</td>
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<tr>
<td>Carry out objective selection process, write to each individual employee concerned and convene a meeting to consider representations</td>
<td>Headmaster and Redundancy Committee</td>
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<tr>
<td>Following the initial dismissal decision, issue contractual/statutory notice terminating the employment.</td>
<td>Kent County Council/Governing Body</td>
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<tr>
<td>Continue support for affected employee(s)</td>
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<tr>
<td>Hear any appeals against selection recommendations</td>
<td>Appeals Committee</td>
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<tr>
<td>Confirm final decision to employee(s), trade unions and Kent County Council</td>
<td>Appeals Committee</td>
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