



NEU Reorganisation Procedures Model policy checklist

This checklist should be used alongside the NEU's model policy on reorganisation procedures to help you negotiate a policy acceptable to the union. You may not be able to secure everything on this checklist – if that is the case, you will need to consult members on whether the proposed policy is sufficiently positive to be acceptable. More advice can be found on the NEU website at: neu.org.uk/help-advice

Consultation

Trade unions and employees (including those on fixed-term contracts) will be fully consulted on any proposals and their implementation.

Trade unions and employees are consulted even if the employer is proposing to make fewer than 20 employees redundant.

Consultation will be a meaningful, clear and a two-way process.

Consultation begins as early as possible and before the employer is obliged to notify the Department for Business, Energy & Industrial Strategy under prevailing legislation.

The employer's statutory obligation is to consult in good time about ways of:

- avoiding redundancies
- reducing the number of employees to be made redundant
- mitigating the consequences of the redundancies.

Consultation will cover the reasons for any redundancies, including past, current and future budget information; ways of avoiding or minimising redundancy; the adoption of fair, non-discriminatory and objective selection criteria; as well as, should redundancy be necessary, the notice, redundancy pay and any other payment entitlements.

Information relating to the redundancy process will be made available to staff in accessible formats (eg Braille or large font).

Staff on maternity/adoption/paternity/parental leave and long-term sick leave will be notified and kept informed of the redundancy process.

Meaningful consultation means exploring and responding effectively to all ideas reasonably suggested by the union to avoid and/or reduce the number of redundancies and mitigate their effects.

Union representatives

There is a right to be accompanied by a trade union representative or work colleague at all stages in the process.

The employer provides additional facilities time for union representatives if necessary.

Commitment to avoid compulsory redundancies

The employer will take all possible steps to avoid compulsory redundancies (such as a freeze on recruitment, staff turnover, job sharing, reduced hours by mutual agreement, retraining and redeployment, reduced non-staffing expenditure and voluntary redundancies and retirements) and, where this is not possible, seek to reduce their number and mitigate their effects.

The employer will review staffing needs as opportunities present themselves through staff turnover, deployments, promotions and retirements.

If redundancies are unavoidable

Selection criteria

The selection criteria will be subject to consultation with a view to drawing up agreed selection criteria.

Selection for redundancy will be based on clear criteria that are fair, transparent, consistent, objective, measurable, relevant and non-discriminatory.

All affected employees must be invited to make representations to the panel that has been appointed to consider redundancies.

Impact on equality

Support currently available to disabled pupils/students and staff will be protected.

Redeployed disabled staff receive reasonable adjustments as and when required.

Positive action initiatives such as encouraging more black and minority ethnic (BME) and women staff into senior leadership roles continue.

The equality impact of the policy and procedures is monitored annually and shared with the recognised trade unions.

Appeal

Employees have the right to appeal against their selection for redundancy.

It is clear when an appeal should be made (normally within ten working days of receiving the staffing panel's decision), who will be hearing the appeal and the deadline for submitting supporting evidence.

Suitable alternative employment

Every effort will be made to redeploy or find suitable alternative work for employees selected for redundancy. This may include the employer identifying potential training needs and/or support for staff member/s at risk of redundancy to see if they can carry out a different role in the new structure.

Support and advice will be provided to employees selected for redundancy to help them find suitable work when their employment ends.

All redundant employees, regardless of length of service, will be given permission to take paid time off during their notice period to look for work or seek retraining opportunities.

Redundancy pay

Redundancy pay will be calculated on the basis of any agreed enhanced local scheme or actual salary, not the statutory limit on a week's pay.

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

Salary safeguarding

Salary safeguarding will be in accordance with the School Teachers' Pay and Conditions Document (three years' cash safeguarding).

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