

THE SHROPSHIRE GATEWAY EDUCATIONAL TRUST
Employment Protection

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1.0 Introduction

This policy is based upon Shropshire Council's Employment Protection Scheme for Schools which has been agreed by the following organisations; National Union of Teachers, National Association of Schoolmasters Union of Women Teachers, Association of Teachers and Lecturers, National Association of Headteachers, Association of School and College Leaders, Unison, GMB. The only changes to the source document are those that reflect the structure of the Shropshire Gateway Educational Trust and its status as the employer.

The scheme has been devised to ensure that in the event of proposed staff reductions, responsibilities under the Industrial Relations Code of Practice 1972, the Trade Union and Labour Relations (Consolidation) Act 1992 as amended by the Trade Union Reform and Employment Rights Act 1993 and the Collective Redundancy and Transfer of Undertaking (Protection of Employment) (Amendment) Regulations, 1995 and 1999 are fulfilled. The scheme, agreed with the appropriate professional associations/trade unions representing staff employed in schools, recognises an employer's requirement under the relevant legislation to consult with employees and appropriate representatives on ways of avoiding or reducing the potential for staff redundancies and mitigating the effects of any dismissals.

This scheme must be read in conjunction with the Schools Redundancy Cost Approval Procedure. The requirements of that procedure must be satisfied prior to commencement of formal consultation under this scheme.

Where there is no alternative to the dismissal of an employee by reason of redundancy, ie the dismissal is attributable to the fact that the trust's requirements for employees to carry out work of a particular kind, in the place where he/she is employed, has ceased or diminished (or are expected to do so), this scheme establishes a procedure through which decisions on the selection of employees are made. The procedure seeks to ensure fair treatment of employees and has been drawn up having regard to the ACAS guidance booklet 'Redundancy Handling'.

All sections of the scheme apply to a proposed reduction of staff employed on permanent contracts; Sections 1-12 and 16 also apply to staff on fixed term contracts where there are proposals not to renew those contracts in the light of staff reductions identified, either where, as a means of effecting the reductions, this decision is objectively justified or following the selection of the employee for compulsory redundancy process described in Section 9 of this Scheme.

The scheme seeks to ensure that where a reduction in teaching or support staff posts becomes necessary in a school, the following steps are taken:

- that alternatives to reducing the number of staff are fully explored;

- that full consideration is given to the possibility of effecting any reduction through resignation, age retirement, or, where it can be objectively justified, the non-renewal of temporary or fixed term contracts;
- that full consideration is given to the possibility of internal redeployment to avoid the need for staff reductions or any dismissal by reason of compulsory redundancy;
- that full consideration is given to the possibility of effecting the reduction on a voluntary basis by the use of the Trust's approved schemes for voluntary redundancy or voluntary early retirement.

The principal objective of the scheme is to meet the necessity under employment legislation of seeking to safeguard the continued employment of staff where staff reductions are required and to ensure that staff and their representatives are consulted on any proposals. The timetable provided (see 'Documents relating to Employment Protection Scheme 2014/15') relates to changes in the staffing level effective from the beginning of the school year and should be, wherever possible, strictly observed to ensure that contractual and statutory notice requirements are met. Where reductions are planned to occur at the end of the autumn or spring term, the appropriate contractual and statutory timescales must similarly be observed.

It should be noted that where staff reductions arise from a decision to undertake a review of a school's or the Trust's staffing structure then a separate process of consultation, following the principles and good practice of the guidance which accompanied the Education (Review of Staffing Structure) (England) Regulations 2005, will need to be followed prior to or along side the operation of this scheme.

2.0 Budget and Curriculum Planning

Monitoring the school budget takes place throughout the year. It will be possible to make certain assumptions about the future budget based on pupil numbers and possible indicative budget data received, prior to the autumn term. This data will have clear implications for curriculum planning.

During the autumn term/early spring term schools and the Trust will be able to assess their overall position in the light of:

- indicative budget information for the following financial year already received;
- relevant information regarding pupil numbers on roll;
- the likely level of income for the following year;

- estimated expenditure for the following financial year, assuming the continuance of existing levels of spending with appropriate incremental changes, principally staffing costs;
- the impact of the school's financial position, the information regarding pupil numbers and other factors on curriculum planning;
- each school and Trust's three year budget forecast.

In doing so it may be necessary to make a preliminary judgement that areas of saving in the following financial year must be made and staffing reductions considered.

3.0 Sharing Information with Staff

If reductions in staffing are to be considered, headteachers should seek the Local Governing Body and Trust Board's approval to initially inform all trade union representatives of the likely implications, followed by informing staff through a consultation meeting(s) – a full staff meeting or meetings of groups of staff or individuals as appropriate. Relevant information under the headings below should be summarised and issued in writing to members of staff:

- pupil numbers on roll;
- an estimate of the possible level of financial reduction required;
- an estimate of the possible level of reductions in staff in overall numbers;
- where possible in secondary schools, relevant information regarding vulnerable curriculum areas;
- the impact the possible reductions would have on the school's staffing structure;
- a timetable relating to the operation of this scheme.

This information should be updated as necessary with the aim of keeping staff informed. It is important to recognise the sensitivity of the situation where certain areas of work or posts are shown to be particularly vulnerable. It is, however, important to keep trade unions and staff fully aware of the general picture of financial information even though it is only provisional at this stage.

Copies of the intended timetable to be used should also be issued at this stage: see Annex 1 from the Documents relating to The Employment Protection Scheme. Copies of this Employment Protection Scheme should also be made available within school. Employment legislation clearly embodies the principle of consultation "in good time" where staff reductions are likely.

4.0 General Call for Volunteers

In the same written notice, staff within the school and/or Trust should be asked to inform the headteacher, on a confidential basis, of their possible interest in the relevant measures indicated below ((i) to (vi)). It should be strongly emphasised, however, that expression of an interest in the Authority's or in the case of an Academy, its own voluntary redundancy or voluntary early retirement schemes will not necessarily mean that it will be possible to take action on this account. Staff should be made aware that further information, including estimates of benefits payable in cases of voluntary redundancy or voluntary early retirement, can be sought on a confidential, no commitment basis from the Authority's Schools HR Advice Team. Staff should respond under this section as soon as possible, but ideally before the February half-term. The headteacher may in fact be in a position to identify that a possible reduction could be achieved through planned means, ie resignation, confirmed age retirement or fixed term contract, and therefore without the need for volunteers to come forward.

4.1 Resignations

In some circumstances staff may be able to indicate, or may have already indicated, an intention to resign from their post at a future point (eg due to retirement, relocation or change of employment) allowing for a reduction to be achieved through 'natural wastage'.

4.2 Non Renewal of Temporary or Fixed Term Contracts

Under the Fixed Term Employees (Prevention of Less Favourable Treatment) Regulations 2002, fixed term contract employees should not be selected for redundancy due to the nature of their contract unless this can be objectively justified. In some cases selection of an employee on the basis of their fixed term contract status might amount to illegal discrimination.

For any member of staff employed on a fixed term contract it should be established at this stage, through consultation with the Local Authority if necessary, whether the non-renewal of the contract on its expiry, as a means of achieving a proposed staffing reduction, is objectively justified.

4.3 Alternative Work within the Trust*

The Board of Directors and Headteachers' Board will give consideration to any internal redeployment possibilities which may exist or be created. Staff can bring to the headteacher's attention their suitability for and interest in opportunities to work in an alternative post within the Trust.

4.4 Variation of Contract on a Voluntary Basis*

In some circumstances staff may wish to express an interest in part-time work or a job sharing arrangement. Staff already working part-time may have an interest in reducing their working hours. In such cases, staff are advised to consult their professional association/trade union prior to notifying the headteacher of such an interest.

4.5 Voluntary Redundancy*

The attention of staff under the age of 55 should be drawn to the option to volunteer for redundancy and receive a one-off severance payment calculated in accordance with the Authority's adopted policy/scheme.

4.6 Voluntary Early Retirement (Redundancy)*

Staff aged 55 or over who express an interest in early retirement on redundancy grounds (and are pension scheme members) will be provided with figures calculated in accordance with the Trust's approved scheme.

** The benefits or payments made to staff who are released on the grounds of voluntary redundancy or early retirement by reason of redundancy are compensation for the loss of employment. Proposals to achieve reductions through these means are considered as necessary where other options, including staff moving to an alternative post within the trust or varying their contract, have not arisen. Staff who put themselves forward for voluntary redundancy/retirement under this scheme do so on the basis that they do not wish to be considered for an alternative post within the trust or vary their contract. The trust will not support the proposal to release an employee by reason of voluntary redundancy/retirement where the trust has offered, or intends to offer, the employee an alternative post to commence after a nominal break in service.*

A teacher aged 55 or over may wish to consider the option of taking up an alternative post or varying his/her contract as an arrangement for a 'phased retirement'. This provision within the Teachers Pension Scheme allows a teacher whose pensionable salary will reduce by at least 25% to draw some of his/her accrued pension benefits (up to 75%) whilst remaining in employment.

5.0 Consultation with the Board of Directors

Where, following consideration of the school's budget position, this confirms that savings will be required and/or that staffing reductions are to be examined, the headteacher should consult with the Heads' Board, HR Advisor and Board of Directors prior to any decisions on proposals being taken.

The Trust will keep the professional association/trade union County Secretaries/Unions fully informed of the potential need to reduce staff in schools within the trust, based on the information available at this and earlier stages.

6.0 First Decision of the Board: Possible Issue of a Section 188 Notice

Section 188 of the Trade Union and Labour Relations Act 1992 (as amended) establishes the legal requirements for consultation with employees and trade union and employee representatives where an employer proposes to dismiss as redundant 20 or more employees at one establishment. The requirements include the issue of a written notice of proposals to employees and representatives. Under this scheme such written notice will be issued, as set out in the following paragraphs, in all cases where it is proposed that an employee or employees of a school will be dismissed by reason of redundancy.

The Board of Directors will make arrangements to issue a notice initiating a formal consultation process under the Trade Union and Labour Relations (Consolidation) Act 1992 (as amended). The notice will specify:

- the reason for the proposals;
- the numbers and descriptions of employees whom it is proposed to dismiss as redundant. (Note: For teaching staff in primary schools this will relate to the establishment as a whole; in secondary schools, it will identify one or more areas of the curriculum or management. For support staff it will identify the proposed reduction by reference to the area of work);
- the total number of staff employed in the relevant area of work;
- the proposed method of selecting the employees who may be dismissed; (Note: where from earlier information it appears that there is no alternative to selection for potential compulsory redundancy, the notice will specify at this stage the specific criteria, (which will clearly defined, objective, fair, non-discriminatory and based on

the needs of the school), intended to be used in the selection process together with the intended method of their application - to assist Appendix 1 contains an indication of what would be considered objective criteria);

- the proposed method of carrying out the dismissals, with due regard to this procedure, including the period over which the dismissals are to take effect.
- the proposed method of calculating the amount of any redundancy payments to be made to employees who may be dismissed.

In operating this procedure, there must be at least ten working days between the date of issuing the Section 188 Notice and the date of any meeting held to consider any response. Where compulsory redundancy is contemplated, a copy of the information provided to staff, with any necessary updating, together with a statement of the school and/or trust's budget position, will be forwarded to professional association/trade union representatives with the Section 188 Notice.

Where there appears no alternative to selection for compulsory redundancy the headteacher will undertake an Audit of Staff Expertise to allow for fair selection against the criteria drawn up and to ensure all available options for internal redeployment can be examined.

7.0 Second Decision of the Board: Response to Section 188 Notice

Under the Trade Union Reform and Employment Rights Act 1993, the formal consultation process must include consultation about ways of:

- avoiding the dismissals;
- reducing the number of employees to be dismissed;
- mitigating the consequences of the dismissals.

Where there are proposals to select for potential compulsory redundancy, these consultations must include consideration of the detailed selection criteria and the method of their application. In accordance with the above legislation, formal consultations on all the above matters must be undertaken with a view to reaching agreement with professional association/trade union representatives.

Any response received from the recognised professional associations/trade unions, either in writing or by attendance in person, must be considered by the Board of Directors at a meeting called for the purpose. The Board must invite a representative of the Trust's HR Provider to such a meeting. Following the meeting all representations received as part of the consultation process will be replied to in writing.

8.0 Specific Call for Volunteers and Individual Consultation

Should the Board decide to proceed at this stage, the Headteacher/s will:

- convey this to all members of staff and, other than where it has been identified that a proposed reduction can be achieved through resignation or non-renewal of a fixed term contract, invite them individually to confirm in writing their interest in the options set out in Section 4;
- inform staff in the areas of risk of selection for potential compulsory redundancy that they have the right to individual consultation on the proposals.
- issue “Audit of Staff Expertise” forms to those staff in areas of risk for selection for potential compulsory redundancy.

As part of this process, staff should be given opportunity to explore any reasonable options available, including discussion of reasonable retraining, within the timescale published to staff. The outcome of this consultation process will be reported to the Board as appropriate by the headteacher. (Note: The Board will wish to be assured that the steps in Section 4 have been considered in the order set out before proceeding further: in particular it will not be possible to consider voluntary redundancy/early retirement options where reasonable options exist under the other headings. It should also be noted that any decision to achieve a reduction by voluntary means will be subject to an option to reduce staffing by normal resignation not then arising).

Where at this stage more than sufficient volunteers within the specified area of work come forward, the appropriate criteria for the selection of employees will be drawn from Appendix I. Selection of any volunteer will need to follow the process required for selection for proposed compulsory redundancy.

Where any reduction is to be met through the non-renewal of a temporary or fixed term contract (where this is objectively justified) the member(s) of staff concerned will be informed, in writing, of the decision. They will also be informed of their rights to representation and appeal.

9.0 Selection for Proposed Compulsory Redundancy

If it appears that it will not be possible to achieve any necessary staffing reduction by any of the means at Section 4, it may be necessary to proceed to selection for proposed compulsory redundancy.

The individual employee(s) proposed as redundant in the face of the necessary staffing reduction identified will be determined by the Board of Directors acting on the advice of the Headteacher/s following consultations at Section 8. Full information relating to individuals at risk must be provided in order that an informed decision can be made. Decisions on which staff shall be proposed as redundant must be made on the basis of the need to maintain a proper balance of expertise to meet the school’s curriculum, pastoral and other organisational needs, employing the detailed selection criteria determined during the formal consultation process and according to the method proposed. The information relating to

individuals will be provided through the completed Audit of Staff Expertise form with any reference to the individual post holder's identity removed. A representative of the Trust's HR advisor will attend this meeting to offer advice.

Throughout this process proper regard must be paid to equality legislation. In reaching decisions on such proposals, the selection must be fair, objective, non-discriminatory and consistent in approach. Staff on maternity leave, secondment, or who have been granted leave of absence or are absent through long-term illness should not be discriminated against in the selection process. Staff who feel unfairly selected on equality grounds (gender, disability, ethnicity etc.) or trade union activity grounds may have recourse to an Employment Tribunal in addition to the rights of representation and appeal within this procedure. It is strongly recommended that the selection grid approach (see annex 11) is used in making and recording the selection decision. Staff must be selected strictly according to the criteria on which the Board have held their formal consultations. It is recommended that the Headteacher/s attends the meeting of the relevant Board meeting/s to provide advice and clarification, where needed, about the criteria and about information submitted by staff on their Audit forms. The Headteacher/s will then withdraw prior to the final selection decision being made.

Where it has been determined that the selection process may include the use of other criteria (eg disciplinary action, attendance records, length of continuous service) the HR Adviser in attendance will ensure that relevant information is available to be referred to by the Committee if necessary.

NB: *Reduction through Compulsory Variation of Contract (Support Staff only).*

Where the school identifies the need to reduce staffing within areas of work by reference to the number of working hours rather than posts, then where this is not possible by planned or voluntary means, it is an option to propose reduction of employees' hours by compulsory variation of contract. Where this will not apply evenly across all staff in the area of work and will therefore involve selection of employees, the process as required for selection for proposed compulsory redundancy must be followed. Employees will have the same rights to representation, appeal and notice in respect of the

decision made. It should be noted that a compulsory variation of contract should still be agreed with staff. The Trust's HR Adviser can provide further clarification related to this.

10.0 Communicating the Proposal

As soon as possible following the selection meeting, the proposal should be communicated personally to the member(s) of staff concerned together with an invitation to a meeting at which they may be accompanied by a professional association/trade union representative or "friend". At this meeting the headteacher will convey to the member of staff:

- the basis for the proposal that his/her post is surplus to requirement and that he/she is potentially redundant;
- the reasons for his/her selection following application of the criteria and selection method agreed by the Board of Directors;
- confirmation that the proposal has been made in accordance with the provisions of the Trust's Employment Protection Scheme, with the options for support and assistance covered at Sections 14 and 15 clarified;
- confirmation that he/she has rights under the Scheme (and the School Staffing Regulations 2009) to make representations with respect to the action proposed (if he or she so wishes) to the Staff Dismissal Committee, as well as a further right of appeal to the Staff Dismissal Appeal Committee.

As part of this process the member of staff will be individually consulted on the proposal and his/her views considered. There should also be opportunity to discuss any reasonable options for internal redeployment available, including discussion of reasonable retraining. The main points of the meeting, at which a representative of the Trust's HR advisor will normally also be in attendance, will be confirmed in writing as soon as possible with a copy for the employee's representative or "friend".

Should the employee wish to make representations to the Staff Dismissal Committee, notice must be given to the headteacher as soon as possible and within five working days of the date of the meeting held to confirm the decision. The meeting will be arranged as soon as possible and normally within seven working days of receipt of the notice.

11.0 Representation (including fixed term contract holders)

A procedure for the consideration of representations is attached at Appendix II. Where such a meeting has been requested, the employee may make his/her representations personally to the Staff Dismissal Committee who shall have regard to them in relation to the proposal. At the meeting the employee may be accompanied by a professional association/trade union representative or "friend". The decision should be communicated in writing to the employee

as soon as possible following the meeting. The employee should also be notified of the formal right of appeal set out at Section 12. A representative of the Trust's HR advisor will attend this meeting to offer advice.

12.0 Appeal (including fixed term contract holders)

Under the terms of the School Staffing Regulations 2009, the Board of Directors shall also make arrangements for affording any person in respect of whom a proposal to dismiss has been made, an opportunity of appealing against the decision. A procedure for the hearing of an appeal is attached at Appendix III. The Board should have established a Staff Dismissal Appeals Committee for this purpose.

If following representations, the employee wishes to take up the opportunity of appeal, he/she shall give notice to the headteacher as soon as possible and within five working days of the date of the decision at stage 11. The meeting shall be held as soon as possible and normally within seven working days of receipt of the notification of the intention to appeal. The employee may be accompanied by a professional association/trade union representative or "friend". A representative of the Trust's HR advisor will attend the meeting to offer advice.

The Staff Dismissal Appeal Committee will consider the appeal in accordance with the procedure and determine a decision which shall be final. That decision will be confirmed in writing to the employee as soon as possible.

Employees wishing to appeal without first making representations must give notice of their intention to do so within the timescale indicated at paragraph 10.2.

13.0 Permanent Staff: Issue of Notice

The process of selecting any member of the teaching staff for potential compulsory redundancy must be completed to allow for the issuing of dismissal notice by 31 May to take effect at 31 August. It may be possible to issue notice to members of the support staff after this date but in all cases statutory and contractual notice entitlement must be observed in determining the date from which employment terminates. The timetable drawn up with the scheme (see 'Documents relating to Employment Protection Scheme 2014/15') envisages that any appeal will be heard prior to the issue of notice. There may however be circumstances where it has not been possible to adhere to the timetable and notice which is still subject to appeal has to be issued.

When the initial dismissal decision is taken, in accordance with the School Staffing Regulations 2009, the Board will give that individual such notice terminating his or her contract of employment with the Trust as is required under normal contractual terms. Notice of dismissal will be withdrawn should an appeal which is not heard until after the date of issue be successful.

14.0 Employment Protection: Arrangements

Under the terms of the Employment Protection Scheme, the Trust will take the following steps to seek to ensure the continuing employment, within the Trust, of members of staff who are subject to a notice of compulsory redundancy.

- Such staff will be offered advice and counselling by the Trust and will be assigned a named officer for this support.
- Consideration will be given to the possibility of employment in a temporary or fixed term post or within arrangements for casual or supply work in operation at the time.
- Where appropriate and within the constraints of available funding, employees who are potentially redundant will be considered for re-training for suitable further employment within the Trust .
- Schools will interview any such nominated candidate or candidates who are subject to the scheme in accordance with the Trust's approved arrangements and, where possible within the appointment timescale, before any applicants outside the scope of the scheme.
- Reasonable time off will be provided to employees to enable them to seek alternative employment, in particular for attendance at interviews.

Appendix I**SELECTION CRITERIA: EMPLOYMENT PROTECTION SCHEME**

The criteria used in the selection for redundancy must be objective, fair and non-discriminatory and must be applied consistently. The following represent examples of general criteria headings which may be used in selecting staff for proposed compulsory redundancy under the procedures in the Employment Protection Scheme. (NB: The detailed criteria to be used in each case must be further set out on a school specific basis.)

A. Curriculum, Pastoral and Organisational/Management Needs

- Overall long and short term curriculum requirements or constraints;
- Evidence of special curriculum requirements or priorities (eg to improve maths performance in the school);
- To retain particular expertise in management, pastoral or administration terms;
- Academic or vocational qualification;
- Particular curriculum expertise in a teaching or classroom support role (eg as gained through specialist courses);
- Capability to switch from subject to subject as demonstrated either by current actual teaching and/or qualifications and/or past actual teaching;
- Qualifications and/or experience of teaching at specific age group/key stage levels and/or to teach to particular examination standards;

- Flexibility to work in different areas across the school (eg administration, classroom support) evidenced by actual work experience and/or relevant qualifications;
- Additional qualifications, (eg administration, sport, music, counselling, first aid).

B. Other Criteria (to be used following consideration of criteria in A above if necessary where a selection has not been made)

- Length of continuous service, ie last in first out (LIFO). (Consideration of this criterion should be based on continuous service with Shropshire Local Authority.)
- Records of formal disciplinary action or formal action under the capability procedure;
- Records of attendance (but taking care not to use this in a way which could lead to a claim of discrimination on the grounds of disability or on any other grounds, including in relation to rights under the Maternity and Parental Leave etc Regulations. The Thrust will consult their HR Adviser prior to any determination to include such records within criteria);

The Trust will select a reasonable range of criteria which can be justified in the event of a challenge.

Details of the proposed selection criteria must be specified in or provided with the Section 188 Notice issued at Section 6 of the Scheme, together with a clear statement of the proposed method of their application as follows:

- whether the criteria will be applied against the employees within the “pool of selection” through a filtering system by order of priority, or
- whether the criteria will be applied against the employees within the “pool of selection” according to a scoring system or
- whether the criteria will be applied against the employees within the “pool of selection” according to a weighted scoring system (with the weighted scores to be used against each of the criteria indicated).

Examples of Selection Criteria

Teaching Posts

- Teachers who hold a post with responsibility for whole school leadership and management (signified by payment on the leadership pay spine)
- Teachers who hold the post of Head of Department (or Faculty)
- Teachers who hold the post of Head of Year (or Head of Key Stage)
- Teachers who hold a post with significant responsibility for teaching and learning within the Department (signified by holding a TLR payment)
- Teachers who hold a post with significant responsibility for teaching and learning for elsewhere in the school (signified by holding a TLR payment)
- Experience of teaching the subject to Year 11 groups to GCSE level
- Experience of teaching the named subject throughout KS3
- Experience of teaching the named subject throughout KS4
- Possession of a formal qualification in the named subject area
- Possession of a formal qualification in the teaching of children with Special Educational Needs
- Experience or possession of a formal qualification to teach subjects outside of the named curriculum area (where need is due to intended reorganisation subjects may be named by reference to curriculum plan)
- Current or previous experience of subject leadership at GCSE level (ie responsibility for design, delivery and assessment matters).
- Experience or possession of a relevant qualification in a shortage subject area
- Last in first out (as a final criteria where above have not resulted in selection)

Examples of Selection Criteria

Support Staff Posts

- Possession of “particular qualification” (eg NVQ, NNEB) (*requirement/ desirability of the qualification should be reflected in person specification for the job*)
- Possession of qualification gained through in-service training which enhances the work of a teaching assistant (eg CLANSA - Certificate for Literacy and Numeracy Support Assistants).
- Relevant in-service training for the provision of classroom support (eg as provider of ELS, ALS or FLS)
- Possession of a higher education qualification which enhances the work of a teaching assistant (eg in art, music, ICT).
- Possession of a first aid qualification.
- Experience in a role providing pastoral support, eg mentoring, counselling students/pupils.
- At least (?) years experience of working with pupils with special educational needs.

- At least (?) years experience of working with pupils with severe learning difficulties (or behavioural difficulties).
- Experience in a role in the school with responsibility for the management or supervision of staff.
- Experience in providing ICT support to staff and students/pupils.
- Experience of providing classroom support across all age groups within the school.
- Possession of a valid minibus driver's permit as issued by Shropshire Council.
- Experience in the provision of (supporting teachers in the provision of) extra curricular activities.
- Last in first out (as the final of the criteria)

NB: Care should be taken if applying the terms 'recent' or 'significant' to any of the above criteria. It should be made clear what these terms signify, eg 'recent' is considered to be within the last 5 years. Schools should also be able to justify use of the terms if challenged.

Appendix II

STAFF DISMISSAL COMMITTEE**PROCEDURE FOR THE HEARING OF REPRESENTATIONS AGAINST A PROPOSAL
TO SELECT AN EMPLOYEE FOR COMPULSORY REDUNDANCY**

A representative of the Trust's HR Advisor should be present and offer advice which must be considered.

1. The Chair will introduce those present and confirm the arrangements for minuting the meeting.
2. The Chair or Hr Advisor will describe the purpose of the meeting.
3. The Headteacher and/or Chair will describe the reasons for the proposal that the employee cease to be employed by reason of redundancy and the basis for the proposal under the Employment Protection Scheme.
4. The employee and/or representative or friend may ask questions of the Headteacher/Chair.
5. The employee and/or his/her representative will make their representations. The employee may call such witnesses as may be necessary
6. Members of the Committee may ask questions of the employee/representative or Headteacher as appropriate.
7. The employee and/or his/her representative will be invited to make any further comments.
8. An adjournment will then be called in order for a decision to be considered. The Headteacher, employee and their representative shall withdraw from the meeting. The HR Advisor shall remain with the Committee. The advice of the HR advisor will be sought and a decision made as soon as possible following the meeting.

It is the responsibility of the Committee Chair to ensure that a minute of the meeting is kept. This should record the date and time of the meeting, those present and the decision of the Committee. The minute should be sent within five working days of the meeting to the member of staff, with a copy for their representative or "friend". If the member of staff is dissatisfied with the minutes, the reasons for their dissatisfaction shall be considered and, unless satisfactorily resolved, shall be recorded.

Appendix III**STAFF DISMISSAL APPEAL COMMITTEE**
PROCEDURE AT APPEAL AGAINST A DETERMINATION TO SELECT
AN EMPLOYEE FOR COMPULSORY REDUNDANCY

A representative of the Trust's HR Advisor should be present and offer advice which must be considered.

1. The Chair will introduce those present and confirm the arrangements for minuting the meeting.
2. The Chair or HR Advisor will describe the purpose of the meeting.
3. The Headteacher and/or Chair of the Staff Dismissal Committee will be asked to set out the basis for the determination made in accordance with the Employment Protection Scheme.
4. The employee and/or his/her representative, and Members of the Committee may ask questions of the Headteacher and/or Chair of the Staff Dismissal Committee.
5. The employee and/or his/her representative will present the grounds for the appeal.
6. The Headteacher and Members of the Committee may ask questions of the employee and/or his/her representative.
7. The Headteacher and/or Chair of the Staff Dismissal Committee will be invited to make any further comments.
8. The employee and/or his/her representative will be invited to make any further comments.
9. An adjournment will then be called in order for a decision to be considered. The Headteacher, employee and their representative shall withdraw from the meeting. The Trust's HR advisor shall remain with the Committee.
10. The appellant will be informed of the decision, the reasons for it and that the decision will be confirmed in writing.

It is the responsibility of the Chair of the Appeal Committee to ensure that a minute of the appeal meeting is kept. This should record the date and time of the meeting, those present and the decision of the Committee and should be sent to the member of staff, with a copy for

their representative or “friend”, within five working days of the meeting. If the member of staff is dissatisfied with the minutes, their dissatisfaction shall be considered and, unless satisfactorily resolved shall be recorded.

Equality impact assessment screening form

Section one: screening for impact				
Name of policy		Employment Protection Scheme		
Project lead completing assessment:		Matt Hayes		
Position:		Business Manager		
1. What is the main purpose of the strategy/project/policy?				
Describes the Trust's approach to Redundancy and Protection of employment				
2. Who will be the main stakeholders/users of the policy? Please consider the impact of the policy on the different groups of stakeholder /users.				
Staff, Schools, Trustees				
3. Use the table to show:				
<ul style="list-style-type: none"> ■ Where you think that the policy could have a negative impact on any of the equality strands, that is, it could disadvantage them – if no impact please note the evidence for this. ■ Where you think that the strategy/project/policy could have a positive impact on any of the groups or contribute to promoting equality, equal opportunities or improving relationships within equality characteristics. 				
	Positive impact	Negative impact	No impact	Reason and evidence (provide details of specific groups affected even for no impact)
Age	✓			Criteria for any decisions regarding redundancy arrangements are explicitly required to be "objective, fair and non-discriminatory and must be applied consistently"
Disability	✓			Criteria for any decisions regarding redundancy arrangements are explicitly required to be "objective, fair and non-discriminatory and must be applied consistently"
Gender	✓			Criteria for any decisions regarding redundancy arrangements are explicitly required to be "objective, fair and non-discriminatory and must be applied consistently"

Gender identity	✓			Criteria for any decisions regarding redundancy arrangements are explicitly required to be “objective, fair and non-discriminatory and must be applied consistently”
Sexual orientation	✓			Criteria for any decisions regarding redundancy arrangements are explicitly required to be “objective, fair and non-discriminatory and must be applied consistently”
Race	✓			Criteria for any decisions regarding redundancy arrangements are explicitly required to be “objective, fair and non-discriminatory and must be applied consistently”
Religion or belief	✓			Criteria for any decisions regarding redundancy arrangements are explicitly required to be “objective, fair and non-discriminatory and must be applied consistently”

4. If you have indicated there is a negative impact on any group, is that impact:		
Legal? (not discriminatory under anti-discriminatory legislation)	Yes	No <input type="checkbox"/>
Intended?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Level of impact?	High <input type="checkbox"/>	Low <input type="checkbox"/>
If the negative impact is possibly discriminatory and not intended and/or of high impact you must complete a full equality impact assessment. If not, complete the rest of section one below.		
5. Could you minimise or remove any negative impact that is of low significance? Could you add any additional action to have a positive impact rather than no impact?		
Policy can be available in large print or different language if required; however, it is not considered that this will make any material difference.		
6. If there is no evidence that the strategy, project or policy promotes equality, equal opportunities or improved relations – could it be adapted so that it does? If so, explain how.		
7. Please list the outcome following this equality impact assessment (this could be no changes, some changes, further work needed around particular groups or cease development of the policy).		
Policy can be available in large print or different language if required; however, it is not considered that this will make any material difference.		
Signed:	Date:	