

Managing Change Policy

For Schools

April 2024



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1. Introduction

This Policy and Procedure provides guidance to school management and employees in matters of managing change. It is recommended that governing bodies of voluntary aided schools adopt this or an appropriate Diocesan policy and procedure.

NB: Consideration should also be given to the Managing Change Guidance document.

2. Employees Covered by this Policy and Procedure

This policy and procedure applies to all school employees whose employment is under the purview of a Governing Body.

3. Definitions and Abbreviations

Trade Union Representative means any branch representative of a trade union or any other staff representative.

SHRA means a Senior Human Resource Adviser and includes any other member of the HR team who may be providing support in the process.

4. Responsibilities under the Procedure

The Headteacher

Throughout the Procedure reference is made to the Headteacher as being responsible for managing change. It is accepted that other senior managers may also manage the process.

Senior HR Adviser

The SHRA may be required to provide support in the process or to undertake (part of) the manager role.

Trade Unions

The Headteacher will consult with the TU representatives of employees who may be affected, directly or indirectly, by the change process and/or by any proposed redundancies.

An employee is entitled to be accompanied by a TU representative (or work-place colleague) in any formal 1:1 interview.

5. Consultation

Consultation periods will not normally be less than 10 working days or as defined by current legislation.

Should it be proposed to make 20 or more employees redundant the collective consultation period will be no less than 30 working days. If the proposal includes 100 or more redundancies then the collective consultation period will be no less than 45 working days.

6. Policy Statement

In any change process it is the policy of governors and management as far as possible to ensure the best possible outcome for the school and the education of pupils whilst maintaining the security of employment of employees.

Management will seek to manage change so as to ensure that an open, fair and consistent procedure is followed; that alternatives and voluntary solutions are explored at an early stage; that consultation takes place as required and that the need for redundancy is minimised.

7. Change Procedures – General

7.1 Introduction

These Procedures set out how the Headteacher will manage the change process, ranging from minor change that may be achieved consensually, to significant changes requiring more formal processes.

The aim is to always operate within the frameworks specified. Where this is not possible due to particular and/or exceptional circumstances the Headteacher will seek agreement from TU representatives on the most appropriate way forward within the scope and spirit of the Procedure.

7.2 Managing a Change

Most changes that may be needed in a school can be managed internally by the management team. In such cases the Headteacher will consider the situation and make a decision about the most appropriate way forward. S/he may also consult with other managers and employees prior to final decisions being made or the change being implemented.

Where more complex change is envisaged one of two formal processes will be followed:

Process A Terms and Conditions
Used when the proposed change affects the terms and conditions of an employee or group of employees and in cases where no redundancies are envisaged
See Appendix 1

Process B Redundancy
Used in cases where the proposed change is to the staff structure and could potentially lead to a redundancy situation.
See Appendix 2

The Headteacher must allow sufficient time (including slippage) within any plan for change so as to accommodate consultation and (potentially lengthy) notice periods.

7.3 Statement of Change

When contemplating change the Headteacher will draft a Statement of Change. This Statement will form the basis of the subsequent consultation process.

The content of the Statement will vary depending on the change contemplated and the Headteacher may attach supporting documents.

The Headteacher will present the draft Statement of Change to the governing body for amendment/approval both of the proposed change and of the proposed process of implementation.

7.4 Governor Change Committees

The governing body will establish two committees that will oversee and determine outcomes. Each governing body member is invited to sit on one committee or the other.

- The Change Committee
- The Change Appeals Committee

7.5 Redeployment

Adoption of this policy commits governors and management of schools with vacancies to considering suitably qualified staff who are at risk of redundancy from other schools in the Borough or from employment with the Authority.

The school will accept and consider candidates referred to them through the Authority's redeployment process. This will include considering candidates before vacancies are advertised. The administrative process and policy for redeploying staff "at risk" to vacancies is at the discretion of the Authority

8. Redundancy – General

8.1 Measures to avoid Redundancy

The Headteacher will always make every effort to reduce the potential for redundancies by considering, and where possible implementing, the following staffing cost control measures:

- Natural staff turnover and vacancy control
- Review of the use and cost of agency staff
- Voluntary options (including voluntary reduced working hours, voluntary release)
- Redeployment
- Flexible retirement in line with current policy

8.2 Voluntary Redundancy

As an alternative to making compulsory redundancies, the governors and Headteacher may invite volunteers for redundancy. Any such voluntary application will be considered at an early stage.

The decision as to whether any voluntary application is accepted lies with the governors, the Headteacher and the L.A. It is based on a number of objective factors including number of applications received, type of work involved, the comparative cost compared with other potential redundancies and the demands of the curriculum.

In some circumstances it may not be possible to confirm/refuse voluntary applications at an early stage. In such cases it may be necessary to hold applications received until such time as a compulsory selection process has been completed or other ongoing process resolved.

8.3 Redundancy Selection Guidance

Where a compulsory selection process is required the Change Committee and the Headteacher will have reference to the *Guidance on Redundancy Selection* **See Guidance Document**

The redundancy selection process will be used in cases where:

- no invitation for voluntary options is made by management
- no acceptable voluntary applications received
- insufficient numbers of acceptable voluntary applications received

8.4 Common Terminology in Redundancy Situations

Pool

In order to identify those employees at risk of redundancy the Headteacher will first identify the work of a particular kind that is ceasing or diminishing. The employees who carry out that particular work are placed in a 'pool' of staff at risk of redundancy. It is from this pool that the selection for redundancy will be made.

It is possible to have a 'pool' of one person.

Slotting-In

In cases when there is no difference (or a minor difference) between an original post and a new post (and there is no reduction in the overall number of posts) the original post holder is transferred over or 'slotted-in' to the new post.

Ring-Fence

Employees identified as being at risk of redundancy have the opportunity to be considered for a suitable vacant post prior to advertising. This rule is applied when an employee's current post has 50% or more similarity to a new post.

In addition, when normal slotting-in and ring-fencing has been completed and there remain posts to be filled the at-risk employees will be 'ring-fenced' for consideration prior to the post being advertised more widely.

8.5 Offer of Suitable Alternative Employment

In any case where redeployment can be offered as an alternative to redundancy the agreed redeployment policy will be followed.

Management will do what they can to seek appropriate redeployment opportunities.

Employees must co-operate with management's reasonable attempts to re-deploy as an alternative to redundancy and failure to do so may put redundancy pay at risk.

8.6 Redundancy Payment

Payments to redundant staff will be made in line with the *Redundancy Release Payment Scheme*. See *Guidance*

8.7 Assistance with Job Seeking in Redundancy situations

The governors and Headteacher recognise the statutory right of employees under notice of redundancy to reasonable time off to look for work or to arrange for training for new employment. Where further guidance is required this may be obtained from the HR Adviser.

8.8 Protection from Redundancy (Pregnancy and Family Leave) Act 2023

Under the current law, employees on maternity leave, shared parental leave or adoption leave already have special protection in a redundancy situation. From 6 April 2024, this legislation extends that priority status to pregnant employees and those who have recently returned from maternity or adoption leave and shared parental leave. Employees will be entitled to suitable alternative employment in a redundancy situation, in preference to other employees at risk during pregnancy and for 18 months after starting from the child's date of birth, including those employees taking sufficient shared parental leave or adoption leave (See table below for when protections start and end).

Process A – Terms and Conditions

Statement of Change

The Statement of Change will include:

- Current situation
- Details of the proposed changes
- The rationale for change
- Numbers and designation of employees potentially affected
- Proposed change process and timescale

TU and Employee notification

The Headteacher will make available to all affected employees and their TU representatives a copy of the Statement of Change proposed by the governors.

The Headteacher will also give at least 10 working days' notice of:

A TU consultation meeting

An employee consultation meeting

In most cases the TU meeting will be held on the same day and immediately prior to the employee consultation meeting. TU representatives have agreed to work collectively in terms of ensuring representation at such meetings.

Any TU representative or employee unable to attend a consultation meeting may alert the Headteacher who will provide an alternative opportunity to meet prior to the end of the consultation period.

Consultation Meeting

The Headteacher will hold the consultation meeting. The purpose of the meeting is to seek agreement on the proposed change.

At the meeting, the Headteacher will present the proposals and will invite employees and TU representatives to make alternative proposals in writing within the subsequent consultation period.

During the consultation period individuals affected by the proposal will be offered the opportunity for 1:1 meetings with HR or the Headteacher if they prefer.

Final Change Proposals

Following the consultation period the Headteacher will meet with the Change Committee to discuss and respond to all alternative proposals/comments received and to amend/agree the Statement of Change.

NB: depending on the nature of any changes to the statement of change it may be necessary to repeat/extend the consultation period.

The Headteacher will then inform the trade unions and the affected employees in writing/by email of the final (amended) proposals including the proposed timescale and implementation process and will seek written agreement to the change in terms and conditions.

The change will then be implemented in line with the agreed proposals.

Further discussion

The Headteacher will write to any employee who has not yet accepted the change providing an opportunity within the next 5 working days for a further 1:1 meeting.

At this meeting the Headteacher will address any employee concerns and provide such further information as may be requested. The Headteacher will record the discussion in writing. The objective of such discussion is to reach agreement on the way forward.

Should any employee remain opposed to the proposals and no viable alternative is available to management the Headteacher will inform the employee of the intention to terminate employment with contractual notice and offer immediate re-engagement on the new terms.

Process B – Redundancy

Statement of Change

The Statement of Change will include:

- Current situation
- Details of the proposed changes
- The rationale for change
- Number and designation of employees potentially affected and any specific 'pools'
- Proposed change process and timescale
- Draft copies of new job descriptions where applicable with proposed grade

The Headteacher will also provide a copy of the proposed Selection Criteria for any potential compulsory redundancies.

Where applications for voluntary redundancy are invited, the Headteacher will include details of the application process.

TU and Employee Notification

The Headteacher will make available to all affected employees and to TU representatives a copy of the Statement of Change proposed by the governors.

The Headteacher will also give 10 working days' notice of:

- A TU consultation meeting
- An employee consultation meeting

In most cases the TU meeting will be held on the same day and immediately prior to the employee consultation meeting. TU representatives have agreed to work collectively in terms of ensuring representation at such meetings.

Any TU representative or employee unable to attend a consultation meeting may alert the Headteacher who will provide an alternative opportunity to meet prior to the end of the consultation period.

Consultation Meeting

The Headteacher will hold the consultation meeting.

At the meeting, the Headteacher will present the proposals and will invite employees and TU representatives to make alternative proposals in writing within the subsequent consultation period.

Following the consultation meeting the Headteacher will write to any employee identified as being in a 'pool' for redundancy selection. This letter will include any information held about the employee that will be used as part of the selection criteria should it become necessary to implement a redundancy selection process. The employee will be asked to confirm their agreement that the information is correct.

During the consultation period individuals affected by the proposal will have the opportunity for further 1:1 meetings with HR or the Headteacher if they prefer.

Final Change Proposals

Following the consultation period the Change Committee will meet with the Headteacher to discuss and respond to all alternative proposals/comments received and to amend/agree the final Statement of Change.

Discussion will include, as applicable:

- Confirmation of posts to be deleted or created;
- Confirmation of 'pools'
- Confirmation of 'slotting-in' situations
- Confirmation of 'ring-fence' situations

Consideration of any voluntary applications and determination as to next steps.

NB: depending on the nature of any changes to the statement of change it may be necessary to repeat/extend the consultation period.

Where individuals have been placed in a 'pool' for compulsory redundancy selection the committee will also:

- Apply the criteria for selection using the agreed personal information
- Identify those employees now confirmed as at risk of redundancy

Implementation Process

The Headteacher will provide to all affected employees in writing the outcome of the Change Committee meeting.

Any applicant for voluntary redundancy will be provided with confirmation of the outcome of their application.

Any employee identified as compulsory redundant will be invited to a 1:1 meeting to discuss employment termination details. This discussion will include:

- the planned timescale
- entitlements
- right of appeal
- any assistance that may be available in terms of seeking alternative employment.

Redundancy Confirmation

Following the 1:1 meeting the Headteacher will write to the employee confirming details discussed including the right of appeal against the termination of employment.

Appeals

The Change Appeals Committee will hear any appeals and will make a determination. Appeal outcomes will be provided in writing.

Record of document review and amendments		
Date	Amended by	Comments
September 2015	AS/KP	
September 2017	AS/KP	Slight tweak to wording at 8.2
January 2021	JB	Reviewed no changes
April 2024	VF	Protections from Redundancy added in line with update in employment law – April 2024