



**Brontë Academy Trust**  
Great schools. Inspirational people. Strong foundations.

## **Bronte Academy Trust**

### **Managing Workforce Change Policy**

**Bronte Academy Trust has adopted the PACT HR recommended model procedures as  
agreed by Trade Unions**

| <b>Reviewed By</b> | <b>Approved By</b> | <b>Date of Approval</b> | <b>Version Approved</b> | <b>Next Review Date</b> |
|--------------------|--------------------|-------------------------|-------------------------|-------------------------|
| PactHR             | Trustees           | 14 July 26              | V1                      | 14 July 27              |
|                    |                    |                         |                         |                         |
|                    |                    |                         |                         |                         |
|                    |                    |                         |                         |                         |
|                    |                    |                         |                         |                         |

## DOCUMENT DETAILS

Bronte Academy Trust has adopted the following PACT HR recommended model procedure as agreed by the following Trade Unions:

- Unison
- GMB
- NASUWT
- NEU
- NAHT

\*ASCL recognises that meaningful consultation took place prior to the adoption and implementation of this policy.

NB. This policy / guidance will be retained for a period of 7 years from replacement.

## **SUMMARY OF KEY CHANGES**

### **Updated 1 June 2026**

1. Policy details page updated to bring in line with PACT HR recent policies
2. Policy statement regarding the introduction of the Fair Work Agency in April 26 (ERA 2025)
3. Additional clarity regarding collective consultation requirements for MATs or schools with multiple sites
4. Reference to 'Committees' has been replaced by 'Panel' for consistency of application across other PACT HR Policies
5. Trade Union input has been further clarified
6. Trade Union contact list has been removed and is held on the PACT HR Website as Appendix A to allow for up-to-date representative details to be circulated upon any MWC process
7. Clarity regarding Pay Protection and Safeguarding in line with NJC (Associate staff) and Burgundy (teaching staff) Book Provisions

# CONTENTS

## **1 Policy Statement**

- 1.1 Introduction
- 1.2 Commitment
- 1.3 Scope
- 1.4 Equality Impact Assessment
- 1.5 Fair Work Agency

## **2 Managing Workforce Change Process**

- 2.1 Roles and Responsibilities
- 2.2 Initiating a Workforce Change Exercise
- 2.3 Commencing Consultation
- 2.4 Determining Selection Criteria and Methodology
- 2.5 Voluntary Redundancy
- 2.6 Subsequent Consultation Meeting(s)
- 2.7 Close of Consultation
- 2.8 Assimilation Process
- 2.9 Alternative employment
- 2.10 Continuous Service Start Date for Multiple Post Holders
- 2.11 Redundancy Payments and Pension Benefits
- 2.12 Enhanced Redundancy Protection
- 2.13 Pay Protection / Safeguarding Sums

## **Appendix 1**

Managing Workforce Change Process

## **Appendix 2**

Assimilation Categories for Posts

## **Appendix 3**

Appeal against Assimilation Category Form

## **Appendix 4**

Appeal against Redundancy Nomination Form

## **Appendix 5**

Procedure for Appeals against Assimilation Categories or Redundancy nomination

## **Appendix A: Updated Trade Union Contact List**

(Available on the PACT HR website and to be attached to the policy when circulated for any MWC process)

# **1 POLICY STATEMENT**

## **1.1 Introduction**

Bronte Academy Trust shall seek to ensure, as far as possible, security of employment for its employees by careful forward planning. It is recognised, however, that the needs of the Trust may evolve and consider a managing workforce change process including a reduction in staffing numbers.

It is essential that this policy is adhered to closely and advice is sought at an early stage from your named PACT Human Resources Business Partner (PACT HRBP) on how to implement it in order to ensure that the policy is applied fairly and transparently to all employees who may be affected by a workforce change and to eliminate risk where possible.

## **1.2 Commitment**

Bronte Academy Trust is committed to managing workforce change with fairness and transparency. During any period of restructuring, open communication, meaningful consultation and employee wellbeing will be prioritised. A decision will be made objectively and be based on organisational needs.

The Trust is committed to minimising any adverse impact on the workforce, where feasible, by exploring alternatives, supporting redeployment opportunities, and providing appropriate support to those affected.

## **1.3 Scope**

This policy will apply whenever any workforce change is considered as defined on page 6 'The term workforce change'. It has been formally adopted by the Trustees and will be reviewed from time to time to ensure that it meets the Trust's legal obligations and business needs. This policy does not apply to:

- Measures taken in connection with TUPE transfers
- Changes to terms incorporated into individual employment contracts by nationally agreed collective agreements
- Term termination of fixed term contracts at the end of the contractually agreed fixed term
- Any staff not employed by the Trust for example agency workers, external contractors, consultants etc

The term 'workforce change' means any restructure process, that may or may not result in redundancies as well as other proposed courses of action which may entail or result in, the dismissal of one or more employees for some other substantial reason or reasons which are not related to the individuals concerned. For example:

- To achieve an overall reduction in the number or type of posts within the Trust
- In the limited permissible circumstances where dismissal and re-engagement apply to effect a change to local terms and conditions, for example to vary hours of work, working patterns or working practices
- To bring about a change to the skill or grade mix within the staff body
- To make room for the introduction of new staff roles; or
- In the course of a restructure

All schools, academies and Trusts are obliged to hold meaningful collective consultation with all employees who may be at risk of redundancy regardless of number of affected employees.

A statutory duty to undertake collective consultation is triggered when an employer plans to dismiss 20 or more employees as redundant at a single establishment within a 90-day period. This includes both

compulsory and voluntary redundancies, as well as non-renewal of fixed term contracts if the reason is redundancy rather than natural expiry.

Where a school is part of a Multi Academy Trust, and / or a school with multiple sites then a 'single establishment' would be classed as all schools within the Multi Academy Trust or a combination of all school sites. Unless the individual school remains a distinct entity through managing its own workforce, operations and assets.

An employee will be deemed to be dismissed by reason of redundancy where their dismissal is wholly or mainly attributable to the fact that:

- The Trust has ceased or intends to cease to operate
- The Trustees has ceased or intends to cease to operate the Trust in the place where the school employees were employed by a Trust
- The requirements of the Trust for employees to carry out work of a particular kind, or for employees to carry out work of a particular kind in the place where they were employed, have ceased or diminished or are expected to cease or diminish

The selection pool is the pool of employees from which the redundancies will be made. When identifying this, the Trust should consider which particular type of work is disappearing and which employees do that work. The Trust should be able to show that their choice is reasonable given the circumstances.

#### **1.4 Equality Impact Assessment**

Schools, academies and Trusts must ensure that all strategies, policies, services and functions, both current and proposed have considered equality, diversity and inclusion. It is recommended that an Equality Impact Assessment (EIA) Form is used in conjunction with PACT HR Policies. An EIA template can be found within the SLA Advisory Information Hub on the PACT HR website.

#### **1.5 Fair Work Agency**

The Trust is committed to complying with UK employment law and supporting principles of fairness, transparency and accountability at work. The role of the Fair Work Agency is recognised in enforcing employment rights and promoting lawful workplace practices with effect from 7 April 2026.

This Managing Workforce Change policy complies with the above, other current legislation and educational employment related best practice. In circumstances where workforce change is required, all actions will be fair, transparent and lawful ensuring that employees are treated equitably and with respect at all times.

The Trust will co-operate fully with any lawful request or investigation by the Fair Work Agency and take appropriate corrective action where required.

## **2 MANAGING WORKFORCE CHANGE PROCESS**

### **2.1 Roles and Responsibilities**

#### **2.1.1 Board of Trustees**

The board of trustees has overall responsibility for:

- Determining the staffing structure of the Trust
- Managing the establishment
- Determining the annual budget
- Initiating any workforce change exercise
- Determining whether any employee should cease to work at the Trust by reason of redundancy or for some other substantial reason

### **2.1.2 Nominations and Appeals Panels**

The board of trustees must not manage a workforce change exercise collectively in order to reserve members for any appeals process. The board of trustees should exercise its power of delegation under the School Staffing (England) Regulations 2009 at an early stage to delegate the restructure and appoint:

- a) A Nominations Panel consisting of a minimum of three non-staff governors / trustees to carry out the workforce change exercise. In carrying out this work, the Panel may wish to seek advice from appropriate individuals, such as Senior Leaders including the school's Office Manager and your named PACT HRBP  
  
and
- b) An Appeals Panel to hear any appeals against dismissals by reason of redundancy. The Appeal Panel must have at least as many members as the Nominations Panel and consist of non-staff governors / trustees who have had no previous dealings with the matter wherever possible to do so

Both Panels must be appointed at the same time.

A reserve should be appointed for each Panel in case of ill health or other circumstances preventing any individual from acting.

The Panels may only be appointed by a quorate meeting.

It is important to note that in delegating the management of workforce change to Panels, the trustees still maintain overall responsibility for decisions made by the Panels.

## **2.2 Initiating a Workforce Change Exercise**

The process will begin with a draft proposal being put forward, in the strictest confidence, by the Trust's Headteacher or appropriate Executive Leader for agreement by the appropriate Panel of the trustees, in line with the Terms of Reference / Delegation of Powers for staffing matters, who will then present it for full board of trustee for final approval.

Please note that minimal information must be given to the board of trustees, and they must be informed of the need to maintain confidentiality.

### **2.2.1 Draft Proposals**

The draft proposal will normally include:

- The rationale for the workforce change
- Information about the current staffing structure of the school including any funded vacancies
- A preliminary list of affected employees
- A brief outline of any proposed new staffing structure
- Appropriate financial information
- Job descriptions
- A current and proposed structured chart

- A draft timeline for implementing the workforce change should be provided as detailed in Appendix 1. All documents must be marked 'proposals subject to consultation' and a process must be set up to ensure that the most up to date version of documents is clearly identifiable

Once it has agreed a draft proposal in principle, the trustees will put in place formal arrangements for undertaking the workforce change exercise.

The Nominations Panel and Appeals Panel will usually be established at this stage, refer to section 2.2.

## 2.3 Commencing Consultation

### 2.3.1 Recognised Trade Union Bodies

Formal and meaningful consultation must take place with all affected employees and the recognised Trade Unions in all cases, regardless of whether redundancies are expected to arise.

To commence consultation, contact must be made with the recognised Trade Unions formally notifying them of the workforce change proposal and detailing the arrangements for an initial consultation meeting, with a minimum five working days' notice. It is important that contact and information is made in good time to allow sufficient time for review and proposals when considering any workforce change process regardless of whether the workforce change process results in redundancies or not.

A current list of recognised trade unions can be found on the PACT HR website as Appendix A Trade Union Contact List and this Appendix must be circulated to staff, governors and trade unions along with this policy, prior to the initial consultation meeting. Alternatively, there is a blank contact list pro-forma which must be completed and circulated prior to the initial consultation meeting.

### 2.3.2 Statutory Consultation periods and notification requirements

#### 2.3.2.1 Consultation / Notification Periods

Where it is proposed that between 20 and 99 employees may be dismissed, **consultation must begin at least 30 days before the first dismissals take effect**

Where it is proposed that 100 or more employees may be dismissed **consultation must begin at least 45 days before the first dismissal take effect**

#### 2.3.2.2 Section 188 Notice

Whenever the statutory duty to undertake collective consultation is triggered (20+redundancies within one establishment within 90 days), a Section 188 notice and a copy of the HR1 Form will be sent to the Trade Unions. The HR1 Form is the form that is sent to the Insolvency Service and is used where the employer needs to notify the government of potential redundancies. If the Trust fails to comply with this statutory requirement without good cause, it will be liable to be prosecuted and may receive severe penalties including protective awards of up to 180 days' gross pay per employee. Where the Local Authority is the employer, it is the school's responsibility to contact the LA in good time to request that the notification be sent and to supply all necessary information. Advice and support should be sought if required from your PACT HRBP.



Where a school with multiple sites, academy or Trust proposes to make 20+ redundancies across different sites advice must be sought from your PACT HRBP as to whether the organisation is considered a single establishment.

### **2.3.2.3 Minimum Consultation Periods**

The parties should aim to complete the formal consultation exercise either by the end of the statutory consultation period (if applicable) or within a timeframe that allows for meaningful consultation to take place. It is recommended that consultation should take place for a minimum of 10 working days. Where collective consultation is required, it must be completed before notice of dismissal is given to any of the affected employees. It should be noted that employees on fixed term contracts that have reached the end of their duration are excluded from the obligation to consult collectively, except in cases where the work is likely to continue.

### **2.3.3 Trade Union Consultation Meeting**

The Trade Union Consultation Meeting enables representatives to be fully briefed and prepared to support their members. This meeting also provides trade union representatives the opportunity to query and seek clarification on any aspect of the business case or proposals.

A minimum of five working days' notice will be provided for such meetings, along with the relevant documentation. It is important that communication and information are shared as early as practicable to allow sufficient time for review and scheduling.

Following the employee consultation meeting, reasonable time and suitable facilities should be provided to allow representatives to meet with employees to discuss the proposals and offer advice.

### **2.3.4 Employee Consultation**

#### **2.3.1.1 Collective Consultation**

It is usual to hold a staff consultation meeting after the initial consultation meeting with the recognised Trade Unions. The staff meeting should be open to all employees who might be affected by the proposals. Trade Union representatives should be informed that a staff consultation meeting will follow the initial consultation meeting (or otherwise informed when and where the consultation meeting will take place) and invited to attend. Where possible meeting dates will be agreed and arranged in conjunction with the relevant Trade Union colleagues, allowing for at least five working days' notice to employees.

#### **2.3.4.2 Individual Consultation Meetings (1:1's)**

Employees should be offered individual consultation meetings well in advance of the close of the consultation period. Individual meetings allow employees to discuss any matters they may not wish to raise in an open forum and to consider the business case in terms of its impact on them personally including putting forward proposals for alternative action to avoid redundancy. Employees may be supported in this meeting by a Trade Union Representative.

### **2.3.5 Method of consultation**

Where possible, consultation must be conducted in person. In extenuating circumstances consultation may take place remotely through agreement with all parties. In circumstances where the employee is unable to attend a remote or face-to-face meeting due to absence, consultation may take place in writing or through telephone meetings as a reasonable adjustment. Any alternative method of consultation should be agreed with the employee directly.

## **2.4 Determining Selection Criteria and Methodology**

### **2.4.1 Method of Selection, notification and feedback**

During the collective consultation process, any proposed method for selection must be discussed with affected employees and the recognised Trade Unions with a view to reaching agreement where possible. For the avoidances of doubt, attendance records, formal performance capability, sickness absence history and disciplinary matters will not be used as selection criteria.

In carrying out any selection process, the most important consideration must be the long-term sustainability of the Trust and the need to maintain a high quality, balanced workforce with appropriate skills to meet the needs of pupils.

Trade Union representatives and employees should be encouraged to ask questions, raise concerns, make comments or suggestions, and / or submit counterproposals to the Panel. The Panel must consider any counterproposals with a view to reaching agreement on alternative ways of avoiding dismissals, reducing the number of employees to be dismissed and how to mitigate the effect of any dismissals.

Employees must be notified of the feedback mechanisms which have been agreed, and any deadlines involved; and advised that comments can be made at meetings or by letter, email, etc.

The Trust should keep a detailed note of all consultation meetings including any questions asked and responses provided.

Throughout the consultation process, the Trust must take reasonable steps to ensure that employees who are absent due to sickness, maternity leave, paternity leave, secondment or for any other reason are fully informed of and consulted with about developments. They should receive all of the information and have the same opportunities to comment as per other parties involved in the process.

## **2.5 Voluntary Redundancy**

### **2.5.1 Opportunities for Voluntary Redundancy**

Where there is the potential for redundancies, applications for voluntary redundancy should be opened up and employees asked whether they would be interested in this. The decision to accept applications for voluntary redundancy and any subsequent approval, will be at the discretion of the Trust. Advice should be given on the process for this, and any affected staff should be given their redundancy estimates for them to consider whether they wish to pursue this option.

Employees whose voluntary redundancy (VR) expression of interest is subsequently approved are not obliged to accept and will be given sufficient time to consider their options.

### **2.5.2 Voluntary Redundancy Decision and Notice Period**

The Nominations Panel can consider applications for Voluntary Redundancy at any suitable point in the process and will decide whether or not these will be accepted. If they are accepted, then the employees contractual notice period will begin on that date and this will be confirmed in writing.

Please note that the entitlement to contractual notice extends to all affected employees regardless of whether they are made redundant on a voluntary or compulsory basis.

Employees can choose to waive their right to notice and leave early with the agreement of the Trust. Where this is the case, it should be confirmed in writing and the implications of this made clear to the employee.

Should the employee choose not to waive their right to notice, the termination date of their employment will be the end of their contractual notice period. Ideally enough time should be factored into the process to allow for the employee to work their notice if required.

### **2.6 Subsequent Consultation Meeting(s)**

Following the initial consultation meetings, all feedback received from Trade Union representatives and / or affected employees must be collated and may be summarised. If counterproposals have been put forward, the Nominations Panel must consider whether any agreement can be reached on these. In its response it should outline the consequences of adopting the counterproposals and, if they are considered impractical to implement, explain the reasons why. Employees should be offered the opportunity to have individual consultation meetings should they wish. Support from your PACT HRBP should be sought when conducting these meetings. Employees must be reminded of their right to be accompanied at individual consultation meetings by a Trade Union representative or work colleague. Consultation should consider ways of avoiding dismissals, reducing the numbers of employees to be dismissed and mitigating the consequences of the dismissals. All aspects of the proposals should be open for discussion including job descriptions, any proposed changes to terms and conditions and any selection process if applicable.

### **2.7 Close of Consultation**

It is not necessary for the parties to reach agreement for the consultation to be complete. As long as there has been genuine consultation with a view to reaching agreement and the Trust can demonstrate that it has listened and responded to any comments and counterproposals and that all matters have been resolved as far as possible, it can end the consultation process. The consultation period should last for a minimum of ten working days as outlined in section 2.3. However, there may be a need at some stage in the consultation process to provide additional time to consider the proposals.

At the end of the consultation process, whether the Trust decides to pursue its original proposals or some modified version of those proposals, the Trust will provide the Trade Unions with details of the changes that will be implemented, together with a list of affected employees and a copy of the final structure where applicable.

### **2.8 Assimilation Process**

The purpose of the Assimilation process is to provide a fair, transparent and efficient process for placing existing employees into the new organisation structure and identifying any possible redundancies.

### **2.8.1 Establishing Assimilation Categories**

Employees' assimilation rights are determined by examining the following factors: -

- Comparison of duties and responsibilities of each post in the new structure compared to those of each employee in their current substantive post (ignoring any temporary promotion or acting responsibilities)
- Current level/grade within the relevant part of the organisation. This is to preserve the employee's status and to ensure fairness in the assimilation process
- Relevant experience, skills and competencies

The comparison of duties and responsibilities of the new posts in the new structure to current employees in their existing substantive posts should be based upon a significant proportion of duties and responsibilities listed in the new job description being the same as those in the employee's existing substantive post using the assimilation categories outlined in Appendix 2.

The outcome of the assimilation process will be to assign to all posts in the new structure an Assimilation Category A, B, C or D. Once assimilation categories have been assigned, vacant or new posts will be opened for applications. Please note that when advertising new vacancies these will be ring fenced for internal candidates first.

An employee may be assimilated to the same level in the new organisation structure as the level they work at in the old structure, but that does not necessarily mean at the same grade, as a level may span several grades. An employee may be assimilated at a level below their existing level, but this may only occur if it does not unfairly displace an employee who works at that lower level.

If an employee is assimilated to a lower graded post, the Trustees will exercise its discretion as to whether to apply the Local Authority's Pay Protection Agreement for support staff, in full, part or not at all. Parity should be evident according to the district in which the Trust operates within. This will be detailed in the Business Case at the start of the consultation. For teaching staff, the appropriate pay protection arrangements as outlined in the School Teachers Pay and Conditions Document that is in place at the time will be applied.

Where an employee cannot be assimilated at their current level or to the level below and there are no vacant or new posts to apply for, the employee is displaced and will be placed at risk of redundancy. However, where a level-by-level approach is not necessary, or appropriate, an alternative approach can be determined through consultation between management and trade union representatives, according to the circumstances.

The Assimilation process involves management and trade union representatives meeting to agree assimilation categories, wherever possible, to move employees from the 'old' structure to the 'new' structure, identify any displaced employees and deal with issues and problems that arise on a joint basis. A template list of employees with all relevant details and assimilation considerations will be produced.

### **2.8.2 Implementation of Assigned Assimilation Category**

Following the Assimilation meeting(s), employees will be notified in writing of their proposed assimilation rights including their right of appeal.

In limited circumstances, where there are fewer posts than employees at risk, or where the roles have materially changed, a fair and objective selection process can be undertaken in conjunction with your allocated PACT HRBP.

Where a selection process is required to assimilate employees into posts this will be put in place as soon as practicable. This will normally be undertaken by 'limited competition exercise' which must be relevant and appropriate to the post being selected for, but there may be circumstances where other / additional selection processes may be more appropriate.

### **2.8.3 Right of Appeal against Assimilation Category**

Employees should be informed of their right of appeal against the assimilation category they have been allocated. This should be exercised in writing by setting out the reasons for the appeal, to the Chair of the Panel within 10 working days of notification of their assimilation rights. This may need to be extended for a short period to allow absent employees to respond. The Appeal form can be found at Appendix 3.

Appeal hearings should be arranged as soon as possible. The Appeal procedure and format of the hearing is detailed in Appendix 5.

### **2.8.4 Notification of Assimilation Decisions**

When assimilation categories have been assigned and any relevant appeal hearings completed, the following should then take place:

#### **Direct Assimilations**

Inform those employees who have directly been assimilated into posts in the new structure and confirm in writing. Arrangements should be made to issue the appropriate contractual documentation.

#### **Displaced Employees**

Notify displaced employees that they will be at risk of redundancy. Where possible, the Trust will take all reasonable measures to highlight to the members of staff, possible job opportunities. This may be in liaison with other schools or by providing affected staff with appropriate vacancy bulletins.

### **2.8.5 Redundancy Nomination Meeting**

Any Redundancy Nomination Meeting must be held within 3 working days of the Limited Selection Competition Process.

Once the assimilation process has been completed, employees who are displaced as a result of being unsuccessful in the selection process or their post is no longer available in the new structure should be nominated for dismissal by reason of redundancy. This is subject to discussion with those employees and consideration of any representations they put forward.

Affected employees will not be eligible to attend the meeting but one trade union representative (full time convenor) on behalf of all trade unions can attend this meeting as an observer with agreement of all trade unions connected with the current restructure. Where appropriate and agreed, a trade union representative with no affected members can be identified to attend the

redundancy nomination meeting. The representative will be invited to provide any feedback at the end of the meeting.

Following the meeting, the chair of the Panel must write a letter to each employee who has been nominated for redundancy. The letter should:

- Explain why the Trust is proposing to dismiss the employee, giving details, if relevant, of the criteria used to recommend their nomination for redundancy and the basis on which they have been selected;
- Enclose copies of any documentation upon which the Panel relied on, in reaching its conclusions e.g. anonymised scores following the limited selection process
- Advise that if the employee wishes to lodge an appeal to the Appeals Panel, they may do so in writing. Where meeting dates have not been previously agreed timeframes will be set no sooner than five working days following the redundancy nomination meeting
- Remind the employee of their right to be accompanied at the redundancy appeal meeting by a Trade Union representative or work colleague;
- Propose a date, place and time for a redundancy appeal meeting and ask the employee to confirm their attendance; and
- Advise that any written representations must be received by the Governance Professional at least five working days before the date of the redundancy appeal meeting

#### **2.8.6 Redundancy Appeal Hearing**

The Redundancy Appeal Hearing is the final stage with no further right of appeal as follows:

- Following the Redundancy Appeal meeting the chair of the Appeal Panel will write to the employee concerned notifying the employee of the Appeals Panel's decision
- If the decision is that the employee should be dismissed on the grounds of redundancy, the letter will state the grounds for the dismissal and explain that there is no further right of appeal

The Appeals process can be found in Appendix 5.

#### **2.8.7 Redundancy Termination and Dismissal**

In community, voluntary controlled, special and maintained nursery schools (where the Local Authority is deemed to be the employer), the LA is responsible for confirming the dismissal of any employee whom the governing body has determined should no longer work at the school (or, if the employee also works elsewhere for the Local Authority, withdrawing them from the school). The Local Authority must confirm the dismissal on the grounds of redundancy in writing following the governing body's decision to dismiss. It is the school's responsibility to ensure, before issuing such notification, that all relevant requirements have been observed, including any minimum consultation period.

In a Voluntary Aided, Foundation school or in an Academy or Trust (whose staff are employed by the Governing Body / Trustees), the letter to the employee from the Chair of the Nominations Panel formally confirms dismissal.

### **2.9 Alternative Employment**

Where an employee's post is declared redundant while they are absent on maternity adoption or shared parental leave, the school is required to offer them any suitable alternative employment that is available in preference to any other employee who is similarly affected by the redundancy situation, but who is not

absent on maternity leave, adoption leave or shared parental leave. It is for the school to determine whether a post is a suitable alternative, giving consideration to all relevant terms and conditions of employment.

Where an employee unreasonably refuses an offer of suitable alternative employment, they will not be entitled to a redundancy payment.

The provisions of the Redundancy Pay (Continuity of Employment in Local Government) (Modification) Order 1999 should be noted as they may apply in certain cases. Where an employee who is made redundant takes up a job with another employer covered by the Order within 4 weeks of the end of the old employment, they will not be entitled to a redundancy payment. The employee retains their continuity of employment.

Where an employee is placed in alternative employment, which involves a different type of work or is on different terms from their previous employment, they are entitled to a four-week trial period. This may be extended by agreement between the school and the employee to take account of reasonable training needs. An employee undertaking a trial period whilst under contractual notice of redundancy has the right to declare the trial unsuccessful by terminating it. If this happens the employee will be treated as having been dismissed when the original contract ended by reason of redundancy.

## **2.10 Continuous Service Start Date for Multiple Post Holders**

In circumstances of multiple employment (where the employee has more than one post) with the Trust and they are only being made redundant from one post; the continuous service start date that will be used for the purposes of calculating the redundancy payment will be the start date of the post that is being made redundant. The Trust should inform the employee that it is their responsibility to check that their date of continuous service is correct as any redundancy payment will be based on the information that is held on payroll.

## **2.11 Redundancy Payments and Pension Benefits**

Redundancy payments and pension benefits will be paid in accordance with the Local Government Scheme Regulations and Teacher Pension Schemes in existence at the date of the employee's employment. Further advice must be sought from your PACT HRBP regarding applicable redundancy payments and benefits to ensure employees are not disadvantaged.

## **Enhanced Redundancy Protection**

Certain employees may be afforded additional protection during a redundancy situation due to their personal circumstances. In such cases, the Trust will take particular care to ensure that any decision relating to workforce change and redundancy are compliant with the statutory requirements.

For the avoidance of doubt, suitable alternative employment must be offered, where available, to employees during the following periods:

- Pregnancy
- Maternity Leave
- Adoption Leave
- Shared Parental Leave
- Neonatal Care Leave
- Miscarriage / Stillbirth
- Bereaved partner's paternity leave

The enhanced redundancy protection extends to 18 months after birth/placement.

Advice must be sought from your PACT HRBP in these circumstances.

#### **2.14 Pay Protection / Safeguarding Sums**

If a teaching or leadership scale employee is assimilated to a lower-graded post or a TLR is removed as part of the workforce change process, the employee shall receive pay safeguarding for a period of three years as set out in the Teachers' Pay and Conditions Document.

Although there is no entitlement to pay protection for NJC Support Staff, discretion may be exercised by the Trust to apply such provisions. Such consideration must be determined during the formulation of the business case and approved by the full board of Trustees prior to commencing any workforce change process. Parity should be evident according to the district in which the Trust operates within.



## MONITORING AND REVIEW

The Managing Workforce Change Process will be reviewed annually

Responsibility for reviewing the procedure belongs to the board of Trustees.

This Managing Workforce Change Process Policy was reviewed and formally adopted by Bronte Academy Trust on:

.....14 July 2026.....Date



.....Signed Chair of Trustees



.....Signed Chief Executive Officer

## Appendix 1: Managing Workforce Change Process

| Stage          | Action to be taken                                                                                                                                                                                                                                                        | Timeframe                                                                                                                                                                              | Person Responsible |
|----------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------|
|                | <b>Notify Unions of Potential Restructure.</b> Propose a date for the consultation meeting – ideally giving unions at least one weeks’ notice. All relevant documents should be sent to the Trade Unions                                                                  | Dependant on when information is received                                                                                                                                              |                    |
|                | <b>Notify Staff of Consultation Meeting Time and Date</b>                                                                                                                                                                                                                 | Dependant on when information is received                                                                                                                                              |                    |
| <b>Stage 1</b> | <b>Consultation Meeting with Trade Unions</b><br>Discuss proposals and give out JDs. Discuss the selection criteria for assimilation. See if TU have any other recommendations or feedback. Agree how feedback will be given.                                             | THIS MEETING STARTS CONSULTATION PROCESS                                                                                                                                               |                    |
| <b>Stage 1</b> | <b>Consultation meeting with Staff</b><br>Discuss proposals and give our JDs and proposed structure. Agree the selection criteria and discuss assimilation categories of staff. See if staff have any other recommendations or feedback. Agree how feedback will be given | THIS MEETING STARTS CONSULTATION PROCESS<br><br>Inform staff of available dates for individual consultation meetings. Identify subsequent or final consultation meeting date (Stage 3) |                    |
| <b>Stage 2</b> | <b>Individual (one-to-one) consultation meetings</b>                                                                                                                                                                                                                      | Offer individual consultation meetings to staff prior to Stage 3.                                                                                                                      |                    |
| <b>Stage 3</b> | <b>Subsequent or Final Consultation Meeting</b><br>Seek agreement on the proposal (this may be possible at Stage 2 but depends on feedback and any alternatives proposed)                                                                                                 | Propose two dates in case a second meeting is needed with a follow-up date for the final meeting.                                                                                      |                    |
| <b>Stage 4</b> | <b>Assimilate Staff across</b><br>Agree assimilation categories and move staff from old structure to new structure, identifying displaced staff.                                                                                                                          | (Try and add on after the above, if possible, with unions)                                                                                                                             |                    |

|                |                                                                                                                                              |                                                          |                                                                                                                                              |
|----------------|----------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------|
|                | Following above meeting, notify staff of Assimilation category                                                                               |                                                          |                                                                                                                                              |
| <b>Stage 5</b> | <b>Limited Competition Selection Process</b>                                                                                                 |                                                          | HR to draft, Chair of Panel to sign                                                                                                          |
| <b>Stage 6</b> | <b>Redundancy Nomination meeting</b><br>Send outcomes of redundancy nominations meetings                                                     | Within 3 working days of the limited competition process | TU rep, nominated Governors/Trustees, HR Representative and Governance Professional taking notes.<br><br>HR to draft, Chair of Panel to sign |
| <b>Stage 7</b> | <b>Redundancy Appeal (if necessary)</b><br>Give verbal outcome to employee and then confirm in writing to the employee within 3 working days | Within 10 working days of the redundancy nomination      | TU rep, employee/Governors/Trustees, HR Representative and Governance Professional taking notes.<br><br>HR to draft, Chair of Panel to sign  |

## Appendix 2: Assimilation Categories for Posts

**Category A:** The job(s) is considered to be **directly similar in tasks**, duties and responsibilities to post(s) in the previous structure. The grade and reporting relationship may be different, but it is **obvious** that a post holder(s) can be identified as being available for assimilation to the post(s) on the basis of the key tasks, duties and responsibilities of the former post. The only course of action is for the member of staff to be directly assimilated (slotted in) to the new structure.

Where there are more members of staff available for assimilation than (Category A) in the new structure and all such members of staff are considered 'suitable' then a 'limited competition selection' procedure will apply.

**Category B:** The job(s) is considered to be **broadly** similar in tasks, duties and responsibilities to a post(s) in the previous structure, though the grade and reporting relationship may be different. There may be one or more members of staff who can be identified as being available for assimilation to this post(s). The course of action is to assimilate (slot in) the member(s) of staff whose present key tasks, duties and responsibilities are most similar to the new job, or where there is more than one member of staff who is available for a particular post, to have a 'limited competition selection' procedure.

**Category C:** The job(s) is now **changed in emphasis** by task, duty, responsibility or grade from a job or jobs in the previous structure (e.g. by attachment of extra responsibilities, mergers, change in emphasis, reallocation of duties). The course of action is as follows:

- a) Where only one member of staff is identified as being suitable on the basis of their key tasks, duties and responsibilities of a former post – to be assimilated directly
- b) Where more than one member of staff can be identified as performing part of the constituent tasks / duties and responsibilities, then 'limited competition' should take place and particular members of staff identified as available for selection
- c) Where no member of staff is available, this post becomes open to other members of staff elsewhere who are affected by structural changes

**Category D:** The job(s) has been created to reflect a new direction or function. The course of action is as follows:

- Internal advertising indicating the key requirements of the post
- Every possible consideration to be given to those members of staff who are displaced / affected from elsewhere with suitable experience, qualifications and abilities

**Advice must be obtained from HR on those employees on temporary / fixed term contracts or secondment arrangements to ensure that any assimilation rights in such cases are determined correctly.** The general rule is as follows:

- **Secondments:** Employees on secondment have assimilation rights to their substantive post in their substantive service area. They do not have assimilation rights in the service area/post that they have been seconded to
- **Fixed Term Contract Employees:** These employees may need to be included in the assimilation process like any other employee, however their rights may be determined or affected by the reason for the contract being temporary/fixed term and advice must be sought from your PACT HRBP

### Appendix 3: Appeal against Assimilation Category Form

|                                                                                                                                                |                                                                                                            |
|------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------|
| Name                                                                                                                                           |                                                                                                            |
| Post Title                                                                                                                                     |                                                                                                            |
| School/Academy/Trust                                                                                                                           |                                                                                                            |
| My representative is                                                                                                                           |                                                                                                            |
| Name of Trade Union                                                                                                                            |                                                                                                            |
| I wish to appeal against the Assimilation Category on the following grounds (tick as appropriate)                                              |                                                                                                            |
| <input type="checkbox"/>                                                                                                                       | My role varies significantly from the generic grade profile for the level to which I have been assimilated |
|                                                                                                                                                |                                                                                                            |
| <input type="checkbox"/>                                                                                                                       | There has been a failure in the process leading to me being assimilated incorrectly                        |
|                                                                                                                                                |                                                                                                            |
| <input type="checkbox"/>                                                                                                                       | Additionally, I believe that I have assimilation rights to another post in the structure                   |
|                                                                                                                                                |                                                                                                            |
| <input type="checkbox"/>                                                                                                                       | Any other reason (Please explain below)                                                                    |
|                                                                                                                                                |                                                                                                            |
| Date                                                                                                                                           |                                                                                                            |
| Please return completed forms to:<br>(Insert name of person making decision / Chair of Governors / Board of Trustees for Bronte Academy Trust) |                                                                                                            |
| This form must be returned within 10 working days of your receipt of the attached letter.                                                      |                                                                                                            |

## Appendix 4: Appeal against Redundancy Nomination Form

|                                                                                                                                                       |                                                                                 |
|-------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------|
| <b>Name</b>                                                                                                                                           |                                                                                 |
| <b>Post Title</b>                                                                                                                                     |                                                                                 |
| <b>School/Academy/Trust</b>                                                                                                                           |                                                                                 |
| <b>My representative is</b>                                                                                                                           |                                                                                 |
| <b>Name of Trade Union</b>                                                                                                                            |                                                                                 |
| <b>I wish to appeal against the Redundancy Nomination on the following grounds (tick as appropriate)</b>                                              |                                                                                 |
| <input type="checkbox"/>                                                                                                                              | <b>The Panel has failed to follow the correct procedure</b>                     |
|                                                                                                                                                       |                                                                                 |
| <input type="checkbox"/>                                                                                                                              | <b>The Panel has applied the selection criteria incorrectly</b>                 |
|                                                                                                                                                       |                                                                                 |
| <input type="checkbox"/>                                                                                                                              | <b>The selection criteria are discriminatory for the reasons outlined below</b> |
|                                                                                                                                                       |                                                                                 |
| <input type="checkbox"/>                                                                                                                              | <b>Any other reason (Please explain below)</b>                                  |
|                                                                                                                                                       |                                                                                 |
| <b>Signature of Applicant</b><br>(person raising appeal)                                                                                              |                                                                                 |
| <b>Date</b>                                                                                                                                           |                                                                                 |
| <b>Please return completed forms to:</b><br>(Insert name of person making decision / Chair of Governors / Board of Trustees for Bronte Academy Trust) |                                                                                 |
| <b>This form must be returned within 10 working days of your receipt of the attached letter.</b>                                                      |                                                                                 |

## **Appendix 5: Procedure for Appeals against Assimilation Categories or Redundancy nomination**

An appeal against an assimilation category or redundancy nomination will be considered by the Appeals Panel identified at the beginning of the process. The Appeals Panel will consist of three Governors / Trustees who were not involved in the assimilation category or redundancy nomination decision making.

Employees have the right to be represented at the hearing by a Trade Union Representative or fellow employee.

This Panel will be chaired by one of the Governors / Trustees

The format of the hearing will be as follows:

1. The Appellant will be asked to state the grounds of their appeal
2. Management's representative will be given the opportunity to ask relevant questions
3. Management's representative will be asked to state the grounds on which their decision was based
4. The Appellant will be given the opportunity to ask relevant questions
5. The Panel will ask any questions they may have of both parties
6. Both parties will be asked to withdraw to enable the Panel to reach a decision
7. Both parties will be notified of the Panel's decision as soon as possible (normally within 24 hours).  
The decision will be confirmed in writing within 5 days

This is the final level of Appeal