
SAINT NICHOLAS SCHOOL

RESTRUCTURING POLICY

Note: This policy applies to all sections of the school including EYFS

Reviewed September 2015

Review Date September 2018

1. PROCEDURES

This policy aims to outline the procedures that will be followed in the case of any restructuring in the school. They include the following:

- the consultation process
- the provision of information
- ways to avoid potential redundancies
- how staff will be selected for new posts
- suitable alternative employment
- selection process for redundancies
- timescales
- redundancy pay
- notice periods
- appeals procedure.

2. CONSULTATION

Consultation with staff is a vital part of any restructuring process. Consultation will be thorough, begin early and be undertaken in good faith. If redundancies are a possibility, then certain legal duties on consultation will also apply. These are covered in the school's policy on redundancies.

The purpose of a consultation will be to explain and, where necessary, improve the proposed new structure, mitigating any negative effects wherever possible. Proper consultation isn't about introducing a fait accompli but about exploring all the reasonable alternatives. Undertaken properly, it should lead to better decision-making.

The restructuring proposal document will usually form the basis of any consultations. Sufficient time must be allowed, and the consultation process should be completed, before the new structure is published and the actual restructuring process starts. If negotiations are still ongoing at the time consultations are due to end, then more time is needed and the consultation period should be extended accordingly.

3. WHO WILL BE CONSULTED?

Consultation will always take place with trade union representatives. Consultation will also take place with individuals (including non-unionised staff). We will expect individuals to be represented in this process. Therefore all affected staff will be provided with full details of the proposals and be given clear information about the process of consultation, including timescales, and how comments and responses can be made.

4. KEY QUESTIONS

Key questions that will be addressed in any restructure include the following:

- Why is restructuring necessary?
- What does it aim to achieve?
- How does it relate to the school's strategic plan?
- How will it work?
- Will it result in any genuine new jobs with different duties?

- Will the new jobs result in a heavier workload for the post-holder and, if so, what support and resources will be provided?
- How will the jobs be graded?
- How will people be appointed to the new jobs?
- Are the proposed selection criteria fair, consistent and appropriate?
- Will anyone be displaced?
- Will everyone still have a job at the end of the process?
- Can savings be made elsewhere (eg cutting growth expenditure, freezing recruitment)?
- Will the new structure really have advantages over the old?
- Will the new structure have any disadvantages?
- What timescale is envisaged and is it reasonable?
- What alternatives have been considered?
- How does the school intend to meet all of its legal duties?

It is not enough to have short answers to these questions. We will draw up a proposal document, clearly setting out the reasons for restructuring, the proposed new structure itself and the expected impact. This will then be explained in detail to staff and their union representatives and form the basis of consultations with a series of follow-up meetings thereafter.

5. DEALING WITH REDUNDANCIES

See Redundancy Policy

6. TIMESCALES

The school will aim to provide adequate time for any proposed restructuring to avoid:

- posts being removed without providing sufficient notice in accordance with an individual's contract
- consultation being cut short, thereby making it less meaningful; or new appointments being made before consultations are even complete
- individuals being given insufficient time to make decisions affecting their own future, and not being properly consulted on an individual basis.

All of the above are potentially serious and could result in legal claims.

7. MEETINGS WITH PROFESSIONAL BODIES

Once the consultation begins union reps will be invited to a meeting to discuss the proposals. Such a meeting gives members the opportunity to put across their views.

Some staff may not feel comfortable expressing their views in a public meeting, and they will be given an opportunity to speak to the rep privately if they wish.

8. SELECTION CRITERIA AND PROCESSES

In any restructure, the school will ensure that it has a proper balance of skills and experience in order to take the organisation forward. The usual selection methods are direct assimilation of individuals into appropriate posts or competitive interview. There may also be some ring-fencing of specialist positions. The process will aim to be fair which means setting objective criteria that are easily measured. The main principles are:

- All new posts will be filled in a fair and open manner. Job specifications and descriptions will be discussed during the consultation process, together with appropriate grading.
- Enough time will be allowed for staff to consider all the available posts, and weigh them up against the alternative of possible redundancy.
- If some posts are to be re-graded at a lower level, then it is important that a reasonable period of salary protection is negotiated.

- Good equal opportunities practice will be followed and appointments to new posts made in accordance with established school recruitment procedures. This will usually mean using a proper selection panel.
- Any testing methods used in the process will be appropriate and in line with normal school practice.
- The selection process will have an appeals system built in to allow any question of unfairness to be challenged.