
MAT Enabling Document September 2015

MAT Consultation Process

Subject to consultation and subject to change



MAT Enabling Document September 2015

Contents

MAT Consultation Process	1
1. Introduction	3
2. Consultation with Unions	4
3. Individual Consultation	4
4. Filling posts in the new structure	5
5. Voluntary Redundancy	6
Stage 1	6
Stage 2	6
Stage 3	7
6. Compulsory redundancy	7
7. Salary protection	7
8. Redeployment.....	8
9. Appeals.....	8
10. Support for employees	8
Appendix 1.....	9
Proposed timeline - subject to consultation and subject to change	9
Appendix 2.....	9
Frequently asked questions (FAQs).....	9
Appendix 3	12
Contact list for support	12
Appendix 4	12
Glossary of useful terms	12

MAT Enabling Document September 2015

1. Introduction

A restructure and staffing reorganisation within support services is proposed across the MAT schools.

The reason for these proposals is as outlined in the MAT Embracing Tomorrow (September 2015) document.

The changes that are proposed cover a number of different areas. These include:

- Changes to job descriptions
- Changes to reporting lines
- Changes to/reductions of some roles which may result in a redundancy situation arising

Consultation will take place on these proposals. Consultation is the process of jointly examining and discussing areas of concern and seeking mutually acceptable solutions through a genuine exchange of views and information. We will provide affected employees with a fair and proper opportunity to understand fully the matters about which they are being consulted, to express their views, with the opportunity for the schools and MAT to consider those views properly and genuinely.

Consultation will be meaningful and affected employees will have an opportunity to:

- Contribute alternative suggestions and feedback on processes
- Explore the possibility of alternative working arrangements and alternative employment
- Contribute alternative suggestions and feedback, including, where appropriate, ways of avoiding, reducing or lessening the effects of potential redundancies and
- Where applicable, challenge the redundancy selection processes

It is proposed that the informal consultation period will run for three weeks commencing 28 September and the formal process will start week commencing Monday 19 October and then continue until Friday 6 November 2015. The table at Appendix 1 gives indicative timescales and stages of the proposed change process. These proposed timescales may be altered in the light of operational issues and/or as a result of changes brought about by the consultation process.

MAT Enabling Document September 2015

2. Consultation with Unions

All proposals will be subject to consultation with the recognised Trade Unions and with affected employees.

In addition to collective Trade Union consultation, we are committed to group and individual consultations for those potentially affected by the proposed changes. All consultations, proposed appointments and/ or proposed dismissals will continue to be subject to outcomes of the formal consultation process.

A schedule of joint management and TU consultation meetings has been established in order to provide framework for consultation.

Once the consultation process has commenced, employees will be advised of the impact of proposed changes upon them through group and individual meetings.

3. Individual Consultation

Employees will be able to participate in group and one to one meetings during which they will be informed as to how the proposed changes may impact upon them as an individual and to give them the opportunity to raise queries. They will also be advised of the proposed method of staffing the new structure and that they may express an interest in voluntary redundancy by formally requesting a quotation, entirely without commitment.

Employees will have the opportunity to be accompanied at their individual consultation meeting by a work colleague or TU representative. Efforts will be made, within reason, to rearrange meetings to allow chosen representatives to be available.

Where further meetings are viewed to be supportive to the consultation process, efforts will be made to facilitate this, or alternative arrangements made to ensure a meaningful exchange of information.

In circumstances where an individual is at risk of redundancy and, following formal consultation, if an alternative role has not been identified, the employee will be issued with a dismissal notice of redundancy detailing the date upon which their employment will be terminated. Throughout the informal and formal consultation and notice period, access to alternative vacancies will be provided.

MAT Enabling Document September 2015

4. Filling posts in the new structure

The selection process for staffing the new structure will be as fair, transparent and objective as possible. The overall objective will be to retain those staff with the appropriate skills required to enable the achievement of strategic objectives whilst simultaneously delivering the required efficiency savings. Copies of draft job descriptions and person specifications will be available from the Business Manager and made accessible to staff during one to one consultations.

Employees at risk of redundancy will, in the first instance, be able to apply for vacant positions, or to apply for a ring fenced post. If an 'at risk' employee chooses not to apply for one of the posts and / or they are not successful in the ring fenced selection process, they may be provisionally selected for redundancy. If an employee does not express an interest in a post within the proposed structure, however it is believed that they can be accommodated within a suitable alternative vacancy, placement into the alternative position will be proposed.

Employees wishing to apply for a vacancy or for a post subject to competitive selection will be required to complete an abridged internal application form. Whilst there may be a desk top review of an applicant's ability to meet the essential requirements identified within the person specification, it is likely that a competitive competency based interview process will need to be undertaken in order to identify which candidates are placed, and which candidates will be provisionally selected for redundancy. Provisional competitive selection for posts within the proposed structure will start as soon as is reasonably possible, however it is most likely that interviews will commence from **Monday 9 November**. However, dismissals resulting from restructuring / redundancy will not be able to take effect before the end of the consultation period **i.e. Friday 6 November**.

It is possible that pools may consist of employees who have originated from different roles within a function. Where such scenarios arise, these will be explained during the consultation.

MAT Enabling Document September 2015

5. Voluntary Redundancy

A voluntary redundancy programme will open on **Monday 5 October 2015**, with written applications required no later than **9 am on Friday 16 October**. An employee at risk of redundancy may apply for voluntary redundancy (VR).

Employees who are approved for voluntary redundancy will have their payment calculated as below:

The calculation will be:

£ Actual Week's Pay (capped at £475) x no of weeks' pay = £ voluntary redundancy pay. In addition and without precedent, full time employees will be eligible to an additional flat payment of £400. This payment will be pro-rated for part time staff.

Employees should not be given any guarantees that they may take voluntary redundancy until all approvals have been obtained, and formal notification of consent has been provided. Employees accepted for voluntary redundancy will no longer be able to access redeployment opportunities, or be considered for alternative employment within the group.

The stages associated with the voluntary redundancy process are outlined below:

Stage 1

Employees may submit a request for quotation / expression of interest in voluntary redundancy without any commitment that they will go on to make a formal application for release through voluntary redundancy between **Monday 28th September and Friday 9th October**.

Following submission of an expression of interest, employees will be provided with an estimate of their redundancy pay. For the purpose of estimations, all quotations will be raised to reflect a nominal leave date of 18 December (Please note that the actual release date may vary owing to notice and operational requirements.)

Stage 2

Formal applications for release must be submitted in writing by completing and returning Part B of the quotation form to the Business Manager no later than **9 am on Friday 16 October**. The right to refuse or accept applications received outside of these dates is reserved. Once received, a signed application for release will be regarded as a binding and irrevocable commitment.

MAT Enabling Document September 2015

Stage 3

VR applications will be considered by the MAT Executive Team from **Monday 19 October**. It is expected that confirmation of the status of an application for VR would be provided to applicants no later than **Friday 30 October**.

If an 'at risk' employee applies for voluntary redundancy and their application is accepted, they will not be able to apply for a post within the proposed new structure.

It is recognised that an overall objective of the consultation process is to mitigate the risk of compulsory redundancies. Therefore, on a discretionary basis, should an employee whose post is not at risk of redundancy express an interest in voluntary redundancy, and it is deemed that to facilitate release might create an opportunity to accommodate an individual elsewhere, this will be considered.

Appendix 2 details 'frequently asked questions' relating to the voluntary redundancy process: this will be updated and circulated as necessary during the consultation period.

6. Compulsory redundancy

Employees who are dismissed on the grounds of compulsory redundancy who have the necessary statutory continuous service at the date of their termination of their employment (currently 2 years) are entitled to be paid statutory redundancy pay. Statutory redundancy pay is calculated according to the individual employee's age, length of continuous service and gross weekly pay subject to the statutory upper limit on a week's pay (from April 2015 £475).

The calculation will be:

£ Actual Week's Pay (capped at £475) x no of weeks' pay = £ redundancy pay.

7. Salary protection

We are proposing, without precedent, that staff who move to a role within the structure which is at a lower level will be eligible for 1 years' salary protection, so long as no suitable alternative at the level commensurate with their current grading is available. Individuals will be protected at their current grading level only for the hours they continue to undertake.

MAT Enabling Document September 2015

8. Redeployment

To mitigate the risk of compulsory redundancies, all reasonable efforts to find alternative work for employees who are provisionally selected for or on notice of compulsory redundancy will be made. Following the issue of notice of termination of employment by reason of redundancy, we will continue to seek suitable alternative employment for the employee throughout their period of notice. Where employees have not obtained alternative employment during their notice period their employment will terminate by reason of redundancy at the end of their notice period.

9. Appeals

Employees under notice of dismissal by reason of redundancy will be able to appeal against that decision.

10. Support for employees

It is recognised that affected employees may find this process difficult. We are committed to supporting all staff during this period of transition. Employees are encouraged to raise concerns with the Business Manager as soon as possible, so that appropriate information and guidance can be provided.

A list of contacts detailing people staff may wish to approach for support is detailed in Appendix 3.

Enabling Document September 2015

Appendix 1

Proposed timeline - subject to consultation and subject to change

Briefing	Informal Consultation			Formal Consultation			Positions confirmed		
Week 1 21 - 25 Sept	Week 2 28 Sept - 2 Oct	Week 3 5 - 9 Oct	Week 4 12 - 16 Oct	Week 5 19 - 23 Oct	Week 6 26 - 30 Oct	Week 7 2 - 6 Nov	Week 8 9 - 13 Nov	Week 9 16 - 20 Nov	Week 10 23 - 27 Nov
	Group consultations						Selection processes		
TU briefings	TU meeting						Appointments / potential redundancies confirmed		
	1:1s			1:1s					
	VR quotes	VR application period		VR approval					

Appendix 2

Frequently asked questions (FAQs)

To assist staff in understanding how proposed changes impact them and how they will be involved, the following FAQs have been drawn up:

Question number	QUESTION	ANSWER
1.	How can I contribute / give my feedback on the proposals?	<p>You will have the opportunity to discuss the proposals at both the informal and formal one to one meetings, where you will be able to:</p> <ul style="list-style-type: none"> • contribute alternative suggestions and feedback on the processes • explore the possibility of alternative working arrangements and alternative employment • contribute alternative suggestions and feedback including, where appropriate, ways of avoiding, reducing or lessening the effects of any potential redundancies and • where applicable, challenge redundancy selection processes
2.	Can I be accompanied at consultation meetings?	Employees will have the opportunity to be accompanied at their individual consultation meeting by a work colleague or TU representative. Efforts will be made, within reason, to re-arrange meetings to allow chosen representatives to be available.
4.	How long will the consultation process last?	The informal consultation process will start on 28 September for three weeks. The formal consultation process will commence on Monday 19 October and complete on Friday 6 November.

Enabling Document September 2015

5.	Have the Trade Unions been involved from the start of the process.	Yes, when changes are required, we know and want to work in partnership with our recognised TU partners and staff representatives to ensure we manage change as openly and as carefully as we can. We started to provide information to TU partners during week commencing 21 st September.
6.	When can I see the job descriptions for the new roles?	The job descriptions will be available on request at your consultation meetings and thereafter from your Business Manager.
7.	Can you explain when jobs are slotted, matched and ring-fenced?	<p>Slotted/Matched This is where one existing job in the current structure, is broadly identical to a new job in the proposed structure. The employee is then slotted into the new role as they can meet the new job description and person specification. An interview process may take place to discuss the role.</p> <p>Ring Fenced This is where there is a group of staff who can fulfil the job description and person specification of the new role/s in the proposed structure. These employees are then ring fenced for the role/s is and selection is made through an application form and interview process, before the role is opened out to other applicants.</p>
8.	Can I apply for more than one job in the new proposed structure?	Yes, if there is a skills and experience match with the job description and person specification. However - you will be required to limit your expression of preferences to a maximum of 2 posts in the first instance.
9.	If I am applying for a new role will I need to complete the long application form?	There will be an amended internal application form that will need to be completed.
10.	If my job is in the final structure will I have to go through an interview process?	If the role has not changed, the salary is at the same/similar level and you are the only person with the correct match of skills and experience then you will be "slotted" into the role, without an interview. You will be advised if this is the case during your consultation meeting.
12.	Will there be some flexibility with the hours for each role?	We will discuss each post on an individual basis, the level of hours and the pattern of hours will depend on the business requirement for the role.
13.	If my post is at risk of redundancy, can I apply for voluntary redundancy?	If you have received a letter informing you that your post is at risk of redundancy you can express an interest in voluntary redundancy. Expressions of interest in VR will need to be submitted by 9 am on Friday 16 October.
14.	Can I find out how much my redundancy payment would be?	Yes, at the one to one meetings we will give you more information about the voluntary redundancy scheme, you will be provided with a redundancy quote on request.
15.	If I make an application for Voluntary Redundancy will it be automatically agreed?	We will carefully consider every request for voluntary redundancy on an individual basis, agreement will be discretionary and not automatic.

Enabling Document September 2015

16.	Will there be opportunities for redeployment?	Yes, the schools will make all reasonable efforts to find alternative work if you are provisionally selected for or on notice of compulsory redundancy. Following the issue of notice of termination of employment by reason of redundancy, the school will continue to seek suitable alternative employment for you throughout their period of notice.
16.	If my post is at risk of redundancy and I apply for voluntary redundancy and this is accepted could I then apply for a role?	No, when voluntary redundancy is agreed, the proposed structure is near to finalisation, therefore it is not possible to apply for roles at this stage.
17.	If my post is at risk of redundancy and I find an alternative support post in another school outside MAT can I still take the redundancy payment?	Your service is covered by the Modification Order and this impacts on the redundancy process. If you decide to take up another job and start the new role within 4 weeks of the end of your current role, then there will be no dismissal for redundancy purposes and you will not be entitled to a redundancy payment.
18.	If I am not able to find alternative work through redeployment what will be the outcome?	If you have not obtained alternative employment during your notice period your employment will terminate by reason of redundancy at the end of your notice period.
19.	Can I appeal against the selection for redundancy?	Yes, if you are under notice of dismissal by reason of redundancy will be able to appeal against that decision. If you wish to appeal please contact the Business Manager.
20.	If I am accepted for redundancy can I work for the MAT schools in the future?	Yes, but this may impact on your voluntary redundancy payment. Re payment would depend on the length of the break in service. You would be required to repay the school a percentage of the VR payment as follows: Return within 6 months = 100% Return within 6-12 months = 75% Return within 12-18 months = 50% Return within 18-24 months = 25%
21.	If I am accepted for redundancy and find another job in the private sector can I keep my redundancy payment?	If you find a job in the private sector then you can keep your redundancy payment.
22.	If I am at risk of redundancy can I have time off for interviews?	Yes, reasonable time off will be given to both attend and prepare for interviews. This should be agreed in advance and with as much notice as you are practically able to give.
23.	If my role is at risk of redundancy and I apply for a new role and I am selected can I have a trial period in this new role?	In a redundancy situation if the new job role is different from the existing role then there is the opportunity for a trial period which will be discussed with you on an individual basis.

Enabling Document September 2015

24.	Will staff who are on leave be involved in this process?	Yes, we will be consulting with all staff who are on maternity, paternity, secondment and absence leave.
25.	Is there any support available during the consultation process?	<p>Yes, the school recognises that you may find this process difficult. The school is committed to as smooth a transition as possible to new arrangements and will keep you informed throughout the process.</p> <p>If your post is at risk of redundancy, additional support is available and information will be provided during the one to one meetings.</p> <p>You may contact Janice Wright, HR Advisor (07799 623440) if you wish to discuss any aspect of the process. If you do have concerns you should speak to your Business Manager as soon as possible, so that appropriate information and support can be offered. You may also contact your trade union representatives.</p>

Appendix 3

Contact list for support

NAME	EMAIL	TELEPHONE
Val Hone Head of Academies Business Management	val.hone@nwhc.ac.uk	02476 243531 07950 423562
Janice Wright HR Advisor	jwright@zeteor.co.uk	07799 623440

Alternatively you can contact the Business Manager/Principal based at your own school.

Appendix 4

Glossary of useful terms

1. Joint TU meeting

These are consultation meetings held between the recognised unions of the School.

2. Consultation period

This refers to the period required for staff and recognised unions to consider change proposals: in the case of redundancy consultations, a dismissal impacting a staff member selected for redundancy during a redundancy consultation cannot take *effect* until the end of the consultation period. However - selection for redundancy can provisionally be made during the consultation period.

Enabling Document September 2015

The length of the consultation is impacted by the number of staff affected by the proposed changes. If proposals result in between 20 and 99 staff being made redundant within a 90 day period, the consultation period is 30 days; if proposals affect more than 99 staff, the consultation period is 45 days.

3. Group Meetings

This term refers to the group meetings held with groups of affected staff. They will typically involve staff within a particular working area.

Initially, a group meeting is held at the start of the consultation period. The purpose of the meeting is to inform staff of the proposed changes, and advise staff as to how and when individual one to one consultation meetings will be held.

A record/ register showing who has attended the group meeting should be taken.

4. One to One consultation meetings

This term refers to the process of meeting staff individually to discuss the proposed changes, and the specific impact for an individual. Staff may elect to be accompanied by a colleague or TU representative at these meetings.

Throughout the consultation period, it is advisable to provide a number of opportunities to meet staff on a one to one basis.

A record/ register showing the content of each one to one meeting should be captured. This enables a clear record of what has been discussed, along with identifying any follow up actions needed. It is advisable to ask the individual to sign the record of the one to one meeting.

5. Voluntary Redundancy

This refers to the option for staff to 'volunteer' for redundancy. This may allow the avoidance of need for a process for redundancy selection - if sufficient volunteers come forward to negate the need for a selection process.

A Voluntary Redundancy programme will open on **Monday 9 October** with written applications required no later than **9 am on Friday 16 October**. An employee at risk of redundancy may apply for voluntary redundancy (VR).

6. Compulsory Redundancy

This refers to the process of terminating an individual's contract of employment for reason of redundancy, when redundancy cannot be avoided following consultation either through voluntary redundancy or by finding some other alternative solution.

7. Notice period

This refers to the amount of notice an individual must be provided before dismissal takes effect. It can be derived from the individual's contract of employment, or by virtue of the service they have completed with their employer. The Business Manager will be able to advise you with respect to notice periods.

Enabling Document September 2015

The schools do not intend to award Payment in Lieu of Notice (PILON) as an alternative to serving notice. If an individual wishes to be released earlier, for example to enable them to take up a new post elsewhere, this should be discussed locally.

8. 'Slot-in'

This refers to the action proposed when an alternative role that does not differ substantially (i.e. circa 80% the same post) is offered as a reasonable suitable alternative. Individuals who are 'slotted in' do not find themselves subject to a competitive selection process.

9. 'Ring fenced'

This refers to the process of creating a selection pool for a group of individuals who are to be initially considered for a role that is broadly similar to their current role, but for which a competitive process may also be required on the basis that there are more people in the selection pool than positions available.

10. 'At risk - self-selecting'

This refers to circumstances when a role in a structure is removed, and no similar role exists in the proposed structure.