

## **GUIDANCE FOR HANDLING TEACHER REDUNDANCIES**

### **INTRODUCTION**

- 1.1 This guidance has been agreed by the Department of Education, Employing Authorities and Teacher Unions.
- 1.2 The administration of the procedure will be the responsibility of the Chair of Governors in conjunction with the principal of the school. It is recommended that schools seek advice and guidance from the Employing Authority.
- 1.3 The accepted definition of redundancy is “dismissal for a reason not related to the individual concerned or for a number of reasons all of which are not so related” (Article 223 Employment Rights (N.I.) Order 1996).
- 1.4 Where it is identified that there is a need to reduce staffing levels, Governors should establish and record the rationale for any proposed reduction e.g. budgetary, enrolment, curricular, reorganisation, efficiency etc.
- 1.5 Boards of Governors should conduct a Curriculum Audit which should take into account all relevant factors, such as, the agreed School Development Plan and any supporting Action Plans, the school’s present and anticipated Management Structures, the outcomes of any Inspection Reports. This should determine the school’s anticipated curricular and staffing needs for the incoming year and identify those specialist skills and roles that are required to meet those needs.
- 1.6 Specific redundancy selection criteria should be developed by each Board of Governors to suit the individual staffing, management and curricular needs of the school.
- 1.7 In establishing criteria Governors should consider in detail the curricular and non-curricular needs of the school and on the basis of what can be afforded determine the staffing complement required to meet those needs.
- 1.8 Consultation must take place throughout the process with the individual teachers and the recognised teachers’ unions.

### **CRITERIA FOR SELECTION OF VOLUNTARY REDUNDANCIES**

- 2.1 Requirements to maintain the effectiveness and efficiency of the service through the retention of suitably qualified and skilled staff.
- 2.2 Most cost effective for the school, in consultation with the Compensating Authority.
- 2.3 In the unlikely event of all else being equal, random selection will be applied.

### **CRITERIA FOR SELECTION FOR COMPULSORY REDUNDANCIES**

- 3.1 Governors must establish objective selection criteria if there are no suitable or sufficient volunteers for redundancy within the school.
- 3.2 In deciding the staff complement the Governors will need to give preliminary consideration to the qualifications, training, experience, and potential deployment of existing full-time, part-time and temporary staff.
- 3.3 The curricular and non-curricular needs of the school should be clearly identified according to their priority. The following are potential areas for consideration when determining school needs and establishing justifiable criteria:
  - Statutory requirement for curriculum delivery and teachers contribution to curriculum.
  - Specialist roles undertaken in school which cannot be easily replaced.
  - Total teaching experience in current school.
- 3.4 It is important that the use of and reliance on such criteria must be objectively justifiable and sustainable in relation to the financial or curricular deficits identified by the appropriate audit process. Criteria must take account of equality issues, such as: gender, marital, civil partnership or family status; pregnancy or maternity leave; sexual orientation; gender reassignment; racial group; age; disability; trade union membership or non membership; criminal record; and religious belief and political opinion (refer to Equal Opportunities Policy TNC 2009/2). Also, part-time teachers must not be treated less favourably than full-time staff.
- 3.5 When completing the curricular audit the Governors should list all skill areas which they consider essential and desirable for the future needs of the school.
- 3.6 The use of “Last in, First out” (LIFO) is potentially age discriminatory and **must not** be used as the **sole** selection criterion. However, if, having applied the selection criteria based on the curricular and non-curricular needs of the school, two or more teachers remain equal, LIFO may be applied.
- 3.7 Where a teacher is selected for redundancy the principal shall make the teacher aware of the transferred redundancy process.