



## Salary protection & redundancy payments

From time to time, the Trust will have to implement changes to the staffing structure to ensure it best meets the needs of the curriculum and the school community. As a responsible employer the Trust, wishes to maintain the security of employment of its colleagues as far as is reasonably practicable and to keep compulsory redundancies to a minimum. These changes will be managed under the Trust's Managing Change Procedure.

This document gives details of:

- salary protection arrangements when a colleague accepts a role at a lower salary as 'suitable alternative employment' due to organisational change, and
- calculation of redundancy pay when a colleague leaves our employment on either voluntary or compulsory redundancy grounds.

### Salary protection (support staff)

Salary protection which equals 10% of the difference between the employee's current full time equivalent (FTE) salary and the FTE salary of the post to which they are redeployed will be protected, for a maximum of 3 years, from the beginning of the school term in which the change is effective. This will be paid pro-rata for part time staff, based on hours worked in the new role.

#### Example 1:

FTE salary for current role = £21,000

FTE salary for new role = £19,000

Difference = £2,000

10% of the difference = £200

Protected salary = £19,200

The salary protection sets the actual maximum salary for the protected period, rather than a set amount of money which is added to the salary for the new job. Therefore, any cost of living rise is not applied in addition to this.

#### Example 2:

FTE salary for new role = £19,000

Protected salary = £19,200

The following year, a 2% pay uplift is awarded to the £19,000 FTE salary, taking the pay for the job to £19,380

Colleague's new salary is £19,380 (salary protection ends)



Where a member of support staff has been served with notice of compulsory redundancy and then accepts a suitable alternative post in the same academy or elsewhere in the Trust, in accepting the new post the employee does so on the terms and conditions for that post and will no longer be entitled to a redundancy payment. In these circumstances salary protection (see above) will be offered up to a maximum cost equivalent to the redundancy payment which would otherwise have been paid.

## Salary protection (teaching staff)

The safeguarding terms set out in the School Teachers' Pay & Conditions Document (as at the time the change is implemented) will apply.

## Redundancy payments

These terms will apply unless the Trust is required to amend them by law (e.g. public sector exit payment regulations).

### **Colleagues with less than 2 years' continuous service at date of leaving**

Contractual notice will be paid, but there is no entitlement to a redundancy payment.

### **Colleagues with more than 2 years' continuous service**

A payment equaling statutory redundancy but with the weekly earning's cap removed\* will be paid.

*\* a cap may be required in future to comply with the new public sector exit payment regulations.*

### **Calculation**

This method of calculation would apply in all circumstances where a statutory redundancy payment is applicable, including the redundancy of permanent staff and the ending of temporary contract where employment that has lasted more than 2 years.

Statutory redundancy is calculated as:

- half a week's pay for each full year you were under 22
- one week's pay for each full year you were 22 or older, but under 41
- one and half week's pay for each full year you were 41 or older

Length of service is capped at 20 years, and a maximum of 30 weeks' salary is payable.

The table below can be used to estimate redundancy payments, by looking up your age and the number of complete years' continuous service you have; where the two cross on the table, that is the number of weeks' pay you would receive.

### **Modification Order**

Schools, including Academies, are covered by the modifications order. This means that if employees are offered another job with another school, local authority or other organisation covered by the Modification Order before their current employment ends and they take up appointment within four weeks of the date



of redundancy, then no redundancy payment would be due. This is because the employee would not be classed as being dismissed in law, as the employee would retain their continuity of service for statutory redundancy purposes. If no offer of employment is made before the date of redundancy then redundancy would apply even if the employee takes up local government employment within four weeks of the date of redundancy. In this instance continuity of service would not apply, and it is important therefore that staff are made aware of this.

### **Colleagues aged 55 and over at the date of leaving**

In addition to the redundancy payment above, colleagues aged 55 and over may access their pension – subject to eligibility and the rules of the Teachers' Pension Scheme / Local Government Pension Scheme at the time they are made redundant. These may be subject to change due to the forthcoming public sector exit payment regulations, and may vary depending on whether a redundancy is voluntary or compulsory.

As at April 2018:

- Teachers will receive an actuarially reduced pension
- Support Staff who are subject to compulsory redundancy and who meet certain eligibility criteria may be eligible to receive a non-reduced pension.



## Statutory Redundancy Pay table

Age	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20
17	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
18	1	1½	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
19	1	1½	2	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
20	1	1½	2	2½	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
21	1	1½	2	2½	3	-	-	-	-	-	-	-	-	-	-	-	-	-	-
22	1	1½	2	2½	3	3½	-	-	-	-	-	-	-	-	-	-	-	-	-
23	1½	2	2½	3	3½	4	4½	-	-	-	-	-	-	-	-	-	-	-	-
24	2	2½	3	3½	4	4½	5	5½	-	-	-	-	-	-	-	-	-	-	-
25	2	3	3½	4	4½	5	5½	6	6½	-	-	-	-	-	-	-	-	-	-
26	2	3	4	4½	5	5½	6	6½	7	7½	-	-	-	-	-	-	-	-	-
27	2	3	4	5	5½	6	6½	7	7½	8	8½	-	-	-	-	-	-	-	-
28	2	3	4	5	6	6½	7	7½	8	8½	9	9½	-	-	-	-	-	-	-
29	2	3	4	5	6	7	7½	8	8½	9	9½	10	10½	-	-	-	-	-	-
30	2	3	4	5	6	7	8	8½	9	9½	10	10½	11	11½	-	-	-	-	-
31	2	3	4	5	6	7	8	9	9½	10	10½	11	11½	12	12½	-	-	-	-
32	2	3	4	5	6	7	8	9	10	10½	11	11½	12	12½	13	13½	-	-	-
33	2	3	4	5	6	7	8	9	10	11	11½	12	12½	13	13½	14	14½	-	-
34	2	3	4	5	6	7	8	9	10	11	12	12½	13	13½	14	14½	15	15½	-
35	2	3	4	5	6	7	8	9	10	11	12	13	13½	14	14½	15	15½	16	16½
36	2	3	4	5	6	7	8	9	10	11	12	13	14	14½	15	15½	16	16½	17
37	2	3	4	5	6	7	8	9	10	11	12	13	14	15	15½	16	16½	17	17½
38	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	16½	17	17½	18
39	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	17½	18	18½
40	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	18½	19
41	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	19½
42	2½	3½	4½	5½	6½	7½	8½	9½	10½	11½	12½	13½	14½	15½	16½	17½	18½	19½	20½
43	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21
44	3	4½	5½	6½	7½	8½	9½	10½	11½	12½	13½	14½	15½	16½	17½	18½	19½	20½	21½
45	3	4½	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22
46	3	4½	6	7½	8½	9½	10½	11½	12½	13½	14½	15½	16½	17½	18½	19½	20½	21½	22½
47	3	4½	6	7½	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23
48	3	4½	6	7½	9	10½	11½	12½	13½	14½	15½	16½	17½	18½	19½	20½	21½	22½	23½
49	3	4½	6	7½	9	10½	12	13	14	15	16	17	18	19	20	21	22	23	24
50	3	4½	6	7½	9	10½	12	13½	14½	15½	16½	17½	18½	19½	20½	21½	22½	23½	24½
51	3	4½	6	7½	9	10½	12	13½	15	16	17	18	19	20	21	22	23	24	25
52	3	4½	6	7½	9	10½	12	13½	15	16½	17½	18½	19½	20½	21½	22½	23½	24½	25½
53	3	4½	6	7½	9	10½	12	13½	15	16½	18	19	20	21	22	23	24	25	26
54	3	4½	6	7½	9	10½	12	13½	15	16½	18	19½	20½	21½	22½	23½	24½	25½	26½



# Academies Trust

<b>55</b>	3	4½	6	7½	9	10½	12	13½	15	16½	18	19½	21	22	23	24	25	26	27
<b>56</b>	3	4½	6	7½	9	10½	12	13½	15	16½	18	19½	21	22½	23½	24½	25½	26½	27½
<b>57</b>	3	4½	6	7½	9	10½	12	13½	15	16½	18	19½	21	22½	24	25	26	27	28
<b>58</b>	3	4½	6	7½	9	10½	12	13½	15	16½	18	19½	21	22½	24	25½	26½	27½	28½
<b>59</b>	3	4½	6	7½	9	10½	12	13½	15	16½	18	19½	21	22½	24	25½	27	28	29
<b>60</b>	3	4½	6	7½	9	10½	12	13½	15	16½	18	19½	21	22½	24	25½	27	28½	29½
<b>61+</b>	3	4½	6	7½	9	10½	12	13½	15	16½	18	19½	21	22½	24	25½	27	28½	30