

Note: Some Charts and Graphs have been omitted because of my limited editing skills

**TURNER
SCHOOLS**

Folkestone Academy

Proposed Staff Restructuring Document

To achieve: *Excellence and equity for all pupils Integrating Academic and Pastoral life Leadership opportunities at all levels*

Folkestone Academy - Secondary Phase

Turner Schools is committed to ensuring that Folkestone Academy is a school where children thrive and knowledge matters, and is a positive place to work and learn. The

Trust's vision for the Academy's second decade is that the love of learning and success in national measures, which characterise the Academy's primary provision, are built upon in the secondary years, with young people meeting and exceeding national expectations; learning the knowledge to succeed and leaving us with the skills to lead in their chosen fields, as well as in the community.

Delivering this vision requires the creation of new job roles, and existing provision to be reviewed, including curriculum change. Among the proposed new roles are those with an 'All-Age' remit, looking across our provision from ages 2-19, and in time serving our community from ages 2-102.

In addition, further to a fall in Post 16 numbers and Kent place commissioning -means fewer places are needed at the Academy a rationalisation of some posts is required.

A Proposal for Restructuring

This consultation is a formal statutory consultation on proposals for the review and restructure of the teaching and education support staff teams currently employed at Folkestone Academy - Secondary Phase.

While the restructure will present new posts and new opportunities, and support the delivery of a curriculum which delivers national expectations and the Trust's vision, it is also important to note that the Academy, like every school, is required to ensure value for money.

The curriculum and staffing plans proposed herein have been drafted in accordance with the Trust's vision statement and the Academy's Action Plan, utilising Department for Education approved curriculum-led financial planning modelling. The proposals have also been benchmarked against other academies and academy trusts in similar demographic areas in terms of teaching staff and overall staffing to pupil ratios. At present, the Academy has a staff to pupil ratio of 1:6. Department for Education benchmarking shows us that Good and Outstanding schools of similar size typically have a ratio of 1:9. Consequently, the restructure involves an overall reduction in the number of posts.

This reduction is mitigated, to a large degree, by existing resignations. Should the proposals be approved, following the three-month consultation period, this could ultimately result in redundancy for some staff. The Trust is committed to, and will continue to work hard towards, mitigating any potential job losses.

The rationale for the restructure is presented for views, questions and comments. The process and timescales for implementing the proposals are available for feedback.

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1. Key Messages

Creating equity and excellence

Once and for all delivering on the Academy's founding purpose of offering equity and excellence in a context of coastal disadvantage and educational underperformance, by now creating a model that reflects those of the highest performing Academies, both close to us and afar, which have been successful in overcoming disadvantage.

Integrating academic and pastoral life

It's time to take a more holistic approach to ensuring our pupils succeed in education and in life. The historic and artificial divide between the 'academic' and 'pastoral' sides of school work has become an unhelpful barrier. In proposing a move to a Year based system, we will be able to promote aspiration and achieve genuine inclusion; learning will be central.

Creating leadership opportunities at all levels

From curriculum to teaching leadership, to Year roles - both senior and junior - to new SEND specialist roles (all of which will come with training, support and TLRs), through to re-freshed middle and senior leadership roles, including promoting Heads of larger Departments to the Leadership scale. In addition, the proposals are intended to simplify line management, improving communication routes, and increasing operational efficiency. Proposed roles are intended to provide pathways for colleagues to progress from early teaching through to senior leadership, while ensuring that our curriculum is fit for purpose. Critically, the proposals will integrate academic and pastoral life at the Academy, making it easier for staff to work together to support the progress, attainment, safeguarding and well-being of pupils as well as to develop rich and rounded experience.

Refining the curriculum offer, designed to build knowledge and skills at Key Stage 3

Bringing in a subject-specific, rigorous and robust sequenced curriculum from Year 7 that ensures all pupils make progress, achieve their chronological reading age as soon as possible, and that they develop the knowledge - as well as the skills - they need to succeed at Key Stages 4 and 5, as well as for life and life long learning.

Responding to reduced pupil numbers

With demand for Post 16 places reduced and the demand for Pre 16 places trending closer to the Academy's published admission number of 270 (rather than the inflated 300 places per year that were assumed and funded in recent years), provision must be refined accordingly so that the Academy maintains a healthy financial position.

2. Rationale for Change

A Proposal to ensure that Folkestone Academy, Secondary Phase is fit for purpose

Folkestone Academy, from the beginning, has had the pastoral care of the children who attend at the centre of what it does. This has never translated, however, into students achieving the examination outcomes that their prior attainment indicates they should. It is the qualifications, as well as the personal characteristics, that students leave Folkestone Academy with, which will have the most impact on their future lives. This underperformance has prevented Folkestone Academy from having the truly transformative effect on the town of Folkestone and beyond, that it was founded to achieve. The Trust Board, Local Governing Body, senior leaders and staff are united in their desire to establish the structures, systems and approaches to provide the highest quality of education to all children.

We all want an Academy where all young people flourish, where staff are developed and valued, with all stakeholders united behind the vision of serving the community from the age of 2, through delivering its young an education characterised by the love of learning, knowledge to succeed and skills to lead beyond school and in to working life. The Academy's underperformance includes three years of declining results leading up to designation as Coasting in February 2017. The current performance, standards and data (including: secondary attendance well below national expectations at c. 90%, the current and forthcoming KS4 pupils forecast to score an aggregated Progress 8 Score well below floor at -1 when 0 is the expectation, and with Folkestone as a POLAR 1 area representing low aspiration for and uptake of university education), demonstrate that changes to the Academy are required and that we need to continue to promote a renewed focus on creating an achievement culture that meets the needs of all students.

Like other schools, we are also operating in straitened times, and while we envisage that this review will involve role creation, there are some vacant posts which will not be re-appointed to. This should be noted in the context that at Folkestone Academy the current staff to pupil ratio is 1:6 compared to an average of similar schools of 1:9 and a national average of 1:12.

Any proposals have to be successful in both the short and longer term. It is vital to stress that these proposals are about a real desire to once and for all become a centre of equitable excellence, well respected by both the immediate community and also by educational professionals nationally and beyond, and not about a budgetary quick fix. The opportunities for leadership at all levels are intended to provide career development opportunities for colleagues, whilst increasing performance, and in these ways will support the Academy to become an even more rewarding place to work.

As colleagues will be aware, the Academy is returning to its normal PAN of 270. In addition, demographic shifts mean demand for Post 16 places is lower than the Academy had forecast and will continue to be so until primary bulge years and local housing completion deliver previous pupil levels. Fewer pupils mean that fewer staff are required. 38 colleagues will be leaving, or have left, the Secondary Academy in the period from April to August 2018 through the end of their contracts, resignations and retirements, and therefore the overall staff headcount for the new curriculum plans require a reorganisation and realignment, subject to staff skills and qualifications matching the requirements of the role.

The financial implication of the falling numbers at Post 16 and return to normal numbers Pre 16 mean that in 2018/19 the Academy will see a reduction in funding of £770k, and it is also liable for a Post 16 claw-back of approximately £260,000 funds for the current year.

All options have been explored to off-set the claw-back scenario and reduced place demand, which Turner Schools has inherited. These include outsourcing the Academy's catering provision, and sharing contracts and services across the Trust. However, the combination of educational underperformance and funding challenges mean restructuring of the staffing is also required to secure a structure that is fit for purpose and able to embed the critical link between the curriculum and financial planning.

3. Proposals

Appendix A shows the **current** Teaching & Leadership Staff Structure of the Academy; Appendix B shows the **proposed** Teaching & Leadership structure of the Academy; Appendix C shows the **current** Education Support Staff Structure of the Academy; Appendix D shows the **proposed** Inclusion & Aspiration Staff Structure of the Academy.

The proposals will achieve the required budgetary savings, whilst continuing to drive up standards and maintain benchmarked best practice ratios. We will be able to be more ergonomic with our arrangements and direct much needed resources to areas of the academy to deliver the necessary core and wider curriculum, plus targeted provisions required.

Major planned changes that will enhance the pastoral provision, inclusion and the curriculum model:

Two initial posts that look across the Academy community, consistent with our single URN and 2-102 vision. These being: All-Age Principal and All-Age Careers Lead (the latter forming part of extended SLT);

A move from a vertical house pastoral system to one based on year groups, led by new Head of Year posts which will offer TLRs to teaching staff (a new House system will be introduced for charitable fundraising, sporting and other competitive events; it is anticipated the reformed House Lead roles will be taken-up by teachers aspiring to Year or other middle leadership roles). This will provide a more streamlined and efficient system to manage, track and monitor academic performance, and behaviour and attendance, as well as improving communication and logistics; A revision to our Key Stage 3 provision to build the knowledge and skills to succeed at KS4 and beyond from Year 7, including achieving reading at chronological age as close to admission as possible. To ensure breadth is not delivered at the expense of depth, carousel provision will be removed. Religious Education will be introduced as a discreet subject; the time allocated to History, Geography and Modern Foreign Languages will be increased. In addition, English and Maths will be taught daily; Department Heads for every subject - and Department Heads' senior status and responsibility will be reflected via salaries on the Leadership scale;

Secondary Key Stage Directors; & Key Stage 3 Knowledge Leads within subjects (the latter likely to be teachers, given TLR posts and release to develop new knowledge-led KS 3 curriculum starting with Year 7);

SEND Specialist Teachers (x 6) who will work with the Consultant Trust Director of SEND, as well as the Primary and Secondary SENDCos and leadership teams.

Changes to the school day to allow for five, one-hour periods, five days per week. In addition, to be consistent with overwhelming parental demand, this will reduce the span of directed time for colleagues.

A two-week timetable will be introduced, to allow greater flexibility in use of curriculum time;

To create space for these changes in Years 7 and 8, Dance will be delivered as part of the PE curriculum and Food Technology will be removed from core provision. Both subjects will remain as options at Key Stage 4 and, subject to demand, could be offered as an extra-curricular activity. Hair & Beauty will no longer exist as a vocational curriculum choice and will cease once the current Year 10s are complete.

Maintain a broad KS4 and KS5 curriculum that allows students to succeed in both academic and vocational qualifications;

Adjust the time allocated at KS4 to facilitate the completion of up to 2 vocational options at the end of Year 10 (in years where this is consistent with DfE and Ofqual guidance), with additional time provided then allocated to core GCSE subjects in Year 11;

Increase in time for all KS5 subjects.

It is proposed that, during the 3 month consultation period, IT support and management services will be fully outsourced. As a result, the proposals include a net reduction of 1 post from the existing structure, with 3 posts TUPE transferring to the successful bidder.

Posts within the proposed structure have been benchmarked against other academies and multi academy trusts, in areas with a similar demographic intake and similar levels of Pupil Premium and Special Educational Needs students.

In conjunction with the above proposals, the HR policies will also be amended to Trust Wide policies. This is necessitated because we are now, legally speaking, one employer and we must operate with equal and consistent terms as such.

Appendices: Separate Document

4. Timetable & Process

Start of formal consultation period Wednesday 18th April 2018

HR One to Ones with ALL staff Thursday 19th and Friday 20th April 2018

Draft proposed Job Descriptions published by the end of April 2018

Interim / Updated Structure Published w/c 7th May 2018

Expressions of Interest for all applicable posts can be submitted at any time, subject to Job Descriptions being available

Interviews for applicable posts will take place during this process and deadlines will be communicated to all staff

Consultation period ends 4th June 2018

Final structure published 5th June 2018

Confirmation of Final Structure and Posts w/c 11th June 2018

Final Structure to take effect from 1st September 2018 (Notice will be issued in line with contractual/statutory notice at the end of the restructure exercise.)

Where there are new posts, or more posts than existing post holders, the posts will also be externally advertised - but priority will be given to existing staff whose substantive post is at risk.

Staff will be notified of their proposed personal status during the consultation period. Some staff may be slotted into unchanged posts. Where posts are unchanged but numbers are diminishing, then redundancy selection criteria will need to be defined. Other members of staff that are not slotted, or who are subject to diminution will be invited to apply for vacant posts in the new structure. Members of staff who secure a lower graded job may be entitled to salary protection for 3 years (this will be dependent on current terms & conditions of employment).

5. Avoidance Measures

These proposals contain a number of new posts and current staff will be given priority over external candidates in these roles, consistent with our duty to mitigate job losses. Nevertheless, the Trust will endeavour to support any member of staff who wishes to follow any voluntary solutions, and we would be amenable to resignations outside the statutory resignation dates if this would help staff in securing other posts.

In addition, should a member of staff leave then the process can be stopped at any time in a particular pool. We would want this process to be conducted with great sensitivity and we will take care at every step in order to ensure that the processes are not compromised. During consultation period, all expressions of interest will be considered and decisions will be made at the end of the consultation based on the ongoing and future needs of the Academy and the financial implications. Requests for voluntary redundancy may not be granted if doing so places the area in an understaffed position against the curriculum model.

The appointment process to the new structure will be considered on a tier-by-tier basis, starting with the senior leadership team.

As highlighted in the introduction, this will be a testing time for everyone but we hope that we can maintain our focus in securing a staffing structure that will be fit for purpose, i.e. that it meets all students' needs, both now and in the future.

6. How to respond to the consultation

All relevant Trade Unions will be notified of these proposals and will be invited to respond. **Timescales**
The formal consultation will run for the statutory period of 45 days from 18th April to 4th June.

Everyone affected by the changes will be allocated individual meetings with Human Resources within the first week of the consultation period, with additional meetings at the request of the employee. Staff who wish to meet with the Principal or Head of School can do so, by request, by e-mailing hr@turnerschools.com.

How to Respond

Staff can give responses by either e-mailing hr@turnerschools.com, by meeting with Human Resources or through contact with their recognised Trade Union Representative.

Frequently Asked Questions (FAQs) and answers will be generated from responses received. These will be distributed to all affected staff on a regular basis.

At the end of the consultation, final decisions on the new structures will be made. These will be published to all staff.

Preventative Measures

If we identify a situation where redundancies may be contemplated, the following measures will be considered in the first instance in order to prevent these:

Pay freeze for a specified period

Recruitment and advertising restrictions or freeze

Discontinuing use of temporary or contract workers

Redundancy Policy

Purpose

It is our general objective to maintain secure employment for our employees by good business practice and forward planning. Changes in pupil numbers; changes in national education policies; changes to our methods of working; or changes to our internal structure can all affect the number of employees that we need and make redundancies unavoidable. The purpose of our policy is to provide methods by which we can restrict redundancies to the absolute minimum and, where they are unavoidable, to provide a fair, consistent and sympathetic procedure by which we can minimise the impact of redundancy.

Scope

The Executive Principal is responsible for ensuring compliance with the Employment Policies and Procedures of the group of Academies. This policy and procedure applies to all employees of Marlowe Academy and Folkestone All-Age Academy.

Definitions and Abbreviations

Redundancy: Redundancy arises when employees are dismissed because:

the employer has ceased, or intends to cease, carrying on the business for the purposes for which the employee was employed;

the employer has ceased, or intends to cease, carrying on the business in the place where the employee was so employed;

the requirements of the business for employees to carry out work of a particular kind has ceased or diminished or are expected to cease or diminish; or

the requirements of the business for the employees to carry out work of a particular kind, in the place where they were so employed, has ceased or diminished or are expected to cease or diminish.

Preventative Measures

If we identify a situation where redundancies may be contemplated, the following measures will be considered in the first instance in order to prevent these:

Pay freeze for a specified period

Recruitment and advertising restrictions or freeze

Discontinuing use of temporary or contract workers

Assessment of the effect of natural labour turnover

Reducing or eliminating overtime working

Job sharing, part-time working and other flexible arrangements

Exploring early retirement options

Comparable vacancies will be ring-fenced for employees at risk of redundancy

Exploring voluntary redundancy options

This list of measures is not exhaustive and we will carefully consider any other measures that are suggested via consultation.

Consultation

If we contemplate making 20 or more jobs redundant at an individual Academy, we will make arrangements to begin a formal collective consultation process in accordance with the relevant legislation (TULRCA 1992). This will include arrangements for employees who are non-trade union members to elect staff representatives. However we do recognise that our employees are also members of trade unions. Therefore, if we contemplate making 20 or more jobs redundant at an individual Academy, we will inform the appropriate trade union(s) and invite a representative to participate in the formal collective consultation process. Such participation by one or more trade union representatives will not create a de facto recognition agreement by default.

If we contemplate making less than 20 jobs redundant at an individual Academy there is no legal obligation to undertake formal collective consultation. In this situation all consultations will be on an individual basis, save for the normal statutory right to be accompanied.

As soon as a general announcement has been made regarding the changes anticipated and proposed job redundancies, we will begin the process of individual consultation with all employees in the affected groups. If your job is identified as at risk of redundancy, you will be informed and have the opportunity to participate in individual meetings with a member of the management team. The purpose of these meetings will be to give you information about the effect of any plans or proposals on your job; to ascertain your requirements; to let you know about any alternative job opportunities within the group of Academies; and for you to let us know if you have any ideas regarding ways in which we can avoid the need to make jobs redundant. You will also be informed of the methods we will use for redundancy selection and, in due course, the results of the selection process as they affect you.

Selection criteria, where it is to be applied, will always be formulated as part of the consultative process and will be founded on fair, objective and non-discriminatory principles. If you are ultimately selected to be made redundant, we will advise you of this at an individual meeting and give you notice in accordance with your contract of employment, together with information on the redundancy payment due to you. Although you are expected to serve your notice if required to do so, in some instances and entirely at our discretion we may be able to release you from work early and make payment to you in lieu of notice.

5.4 The Academy is committed to commencing consultation at the earliest practical opportunity with emphasis to exploring all suitable means to lessen the impact of redundancy, including consideration of viable alternative preventative measures.

Appeals

If you are selected for redundancy, we will inform you of the appeal protocol at the time of giving you contractual notice. Any such appeals will be heard by the Principal or other nominated and appropriate senior member of staff. Appeals will ordinarily be heard within 10 days of the grounds for appeal being received.

The Appeal Hearing will fully assess the reasons for redundancy; the merits of each individual case and whether redundancy was a fair reason for dismissal or not. The Appeal Hearing Officer is able to support or reject the reasoning for redundancy selection and is thereby entitled to reinstate the post-holder if the grounds for redundancy are considered to be unjust.

Suitable Alternative Employment

Employees at risk of redundancy will be informed of all existing and planned vacancies at the Academy and will be encouraged to apply for jobs for which they have the skills, knowledge and experience required, or could acquire them with a reasonable period of training or retraining. In some instances, we may offer you another job, provided such a job exists, without requiring you to apply if we believe that the job to be offered is a suitable alternative employment.

If you are successful in being selected for alternative employment, you will receive an offer in writing giving all the details. You may lose your entitlement to redundancy payments if you unreasonably refuse such an offer for good, substantial and legitimate reasons.

If you are under notice of redundancy, you have a statutory right to a trial period of 4 weeks in an alternative job (where the provisions of the new contract differ from your original contract). This trial period provides you with an opportunity to decide whether the new job is suitable without necessarily losing your right to a redundancy payment. It also provides us with an opportunity to assess your suitability for the role. If either party decide within the 4 week trial period that the new job is not suitable, then your right to a redundancy payment is preserved and your employment will terminate by reason of redundancy in the normal way.

Time Off To Look For Other Work

If you are under notice of redundancy, and have been continuously employed by us for at least 2 years, you have the statutory right to take a reasonable amount of time off work to look for another job, or to arrange training. In most circumstances, we consider that an average of 2 days per week would be a reasonable amount of time and we will pay you at your normal rate of pay for this.

Right to be Accompanied

You are entitled to be accompanied at your individual consultation meetings, or appeals, by a work colleague, trade union representative or official employed by a trade union. Your companion may not be your partner; spouse; parent; sibling; other relative; friend (unless they are also employed by us) or a legal professional.

Redundancy Pay

We will adhere to statutory redundancy pay calculations, including any 'cap' on the amount of weekly earnings used for calculation purposes in force at the time. You will receive an individual calculation of redundancy pay at the time you receive notice. If you transferred to our employment under a TUPE arrangement, we will honour any pre-existing terms and conditions relating to redundancy that are preserved in your contract where these are more favourable

than the statutory requirements. All past continuous service will be recognised in accordance with the Academy's obligations under the Local Government Redundancy Modification Order.

HR018(G)SSA Redundancy PolicyNext Review: September 2015 2 of 3
Issue D

Notes

We will take notes at each individual meeting with you. We may use an additional person to take the notes at meetings. Notes taken at meetings will be a summary of the main points discussed and decisions made and not a verbatim account.

Appendix 1
Redundancy Ready Reckoner