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UNITS OF REDUNDANCY IN SCE

1. Issue

1.1 It is unlikely that SCE schools in BFG can be closed without recourse at some stage to compulsory redundancy for those staff recruited specifically for overseas service¹. A similar consideration applies to HQ SCE staff but with the added complication that they cover a range of specialised and mostly non-interchangeable disciplines e.g. educational psychologists, social workers, careers personal advisers etc.

2. Background

2.1 If compulsory redundancies are needed, it is necessary to identify the unit of redundancy. This is defined as follows in the "MOD Agreement on Managing Staff Surpluses":

"The Unit of Redundancy will generally be the pool or group of employees which remains in surplus despite the measures that have been taken to address or overcome the surplus. The Unit of Redundancy might be defined by geographical or business boundaries; e.g. it might be a specific location, business unit or function. For these purposes, a business unit/establishment is regarded as distinct from any collocated units if it is within a separate management structure or chain of command. However, the Unit of Redundancy can also be a number of collocated business units where a decision is made to reduce in size or close a site or collection of sites. In addition, it may be decided to define the Unit of Redundancy more widely to encompass other staff with the same skills and/or the same grade."

2.2 In order to deal with overstaffing in BFG secondary schools in 1995 (which resulted from the transfer of staff from Berlin), the option chosen at that time was to treat all BFG secondary schools as a single unit of redundancy. This had the disadvantage of destabilising staff across all schools because all were potentially subject to compulsory redundancy rather than only those whose schools had closed. Although only five staff were eventually made compulsorily redundant, the impact on morale across the entire secondary teaching workforce was significant and long lasting.

2.3 Treating each closing school as a unit of redundancy in its own right has the advantage not only of avoiding the wider destabilisation of staff but also of saving the need to find other sustainable, non-discriminatory selection criteria. This can present difficulties because criteria such as age and length of service may be either directly or indirectly age discriminatory whereas other factual criteria, e.g. attendance and discipline record, would not do enough to distinguish between SCE teaching staff.

¹ Defence Admin Grade (DAG) staff, who are employed at HQ SCE and in some school-based posts, are not usually specifically recruited for overseas service, and can be transferred to other DAG posts in the UK.

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2.4 If each closing school is treated as a unit of redundancy in its own right, the criterion by which staff would be selected, if necessary, for compulsory redundancy is simply all those remaining at the closing school at a certain date except those who have accepted VERS or been offered transfer to another school.

2.5 HQ SCE has already gone through a recent restructuring (2012) but will need to respond to the rebasing announcement, further reducing the number of staff in response to the next round of school closures. Determining the appropriate unit(s) of redundancy for HQ SCE staff is less straightforward than in the case of schools. It would not be appropriate, for example, to treat the staff based in the SCE office in Bielefeld as a single unit of redundancy because they cover various usually non-interchangeable specialisms. Where there are teams of staff, all engaged in the same work and at the same grade, it would seem to make more sense to treat each team as a unit of redundancy in its own right, regardless of the location of individual team members.

3. Proposals

3.1 It is proposed i) that each school confirmed for closure should be treated as a unit of redundancy in its own right, and ii) that the criterion for selection for compulsory redundancy will be all teaching staff at a closing school who, nine months before the date of closure, have not accepted VERS or an offer of transfer to employment elsewhere with SCE. The date of closure for this purpose will be treated as 31 August, 31 December or 30 April for closure at the end of the summer, autumn or spring terms respectively. Nine months prior to the date of closure is proposed as the deadline date as it allows enough time for consideration of any appeals plus, where needed, six months' notice of redundancy.

3.2 The three remaining Music Centres (Hohne, Gutersloh, Cyprus) will be regarded as the equivalent of schools for the purpose of defining units of redundancy.

3.3 For HQ SCE staff, the following units of redundancy are proposed, if and when needed:

- Careers personal advisers
- Early Years consultants
- Inclusion support teachers
- Inspector advisers
- Primary language consultants
- Primary consultants
- PSP partnership managers
- Senior educational psychologists
- Senior social workers

3.4 These are proposed because they are all teams carrying out the same function at the same grade, albeit in different locations. If it becomes

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necessary to reduce the size of any of these teams, it would not be appropriate to draw other staff into the same unit of redundancy.

3.5 All other HQ SCE staff occupy singleton posts, with no apparent scope to draw these together into a wider unit of redundancy. It is therefore proposed that posts other than those detailed at para 3.3 above should be treated as single-post units of redundancy.