



# ADJUSTMENTS TO SCHOOL STAFFING STRUCTURES

## GUIDANCE ON THE PERSONNEL PROCESS

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Schools' Personnel Team  
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If you require further help in the interpretation of this guidance you can contact the Schools Personnel Helpline at [hrealaid@devon.gov.uk](mailto:hrealaid@devon.gov.uk) or telephone 01392 384567

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## 1. Introduction

### 1.1 Scope

The Education (Review of Staffing Structure) (England) Regulations 2005 placed a duty on relevant bodies to review the staffing structure and prepare, by 31 December 2005, a plan for the full implementation of any changes arising from the review by 31 December 2008. It also specified the process to be followed if it was proposed to change the school's staffing structure.

These regulations have been revoked completely by the School Staffing (England) Regulations 2009.

No new provisions relating to school staffing structures were introduced under the 2009 regulations and therefore with effect from 2 November 2009 it is no longer a requirement for schools to abide by the requirements of the 2005 regulations with regard to staffing restructures.

This guidance has been updated in light of these changes to provide advice on the personnel process to be followed when schools wish to make adjustments to their staffing structures. This guidance is recommended as good practice guidance.

Head teachers and School leaders should consider applying this guidance as good practice in the case of any proposed permanent and/or significant changes to their staffing structure. This guidance includes the recommendation to consult.

It is not necessary to consult on short-term temporary arrangements; however consideration should be given to applying this guidance if it is felt that the arrangements may become permanent at a later date.

Examples of when schools may wish to consult may include transfer of staff from DCCS onto the school structure; changes to the senior management structure/leadership posts; creation of TLR posts; changes to support staff structures.

**In the event of any anticipated reduction in staffing, which may result in redundancy, schools must contact the Schools' Personnel Helpline at the earliest opportunity. In cases with the potential for redundancy it will be necessary to follow the Redundancy Procedure, as opposed to this guidance.**

### 1.2 Principles

This guidance is based on good practice and is designed to promote a consistent and effective approach by schools when consulting on

adjustments to their school structure plan. The Good Practice Checklist at **Annex A**, may be used in conjunction with this guidance.

The relevant body has a particular responsibility to ensure that it manages the processes fairly, equitably, objectively and must not discriminate either directly or indirectly on the grounds of a person's race, colour, ethnic origin, nationality, gender, sexual orientation, religion, marital status, disability or age.

## 2. Guidance

A good practice illustrative timeline has been provided at **Annex B**. This covers the main activities which need to be undertaken and gives an indication of likely timescales; as a guide, a period of 6 weeks should be sufficient to complete the process. This suggested timeline is flexible locally, however, schools should ensure that in order for any consultation to be meaningful, that there is reasonable time within which unions and individuals can consider the proposals and respond.

### 2.1 Informal Consultation and Initial Consideration of Adjustments to the School Staffing Structure

All school staff and recognised trade unions are informally advised that the school will be putting forward a proposal for an adjustment to the staffing structure. **Annex C** provides two model letters for this purpose.

Following the issue of these letters, Headteachers should continue to consult informally with staff as they consider and prepare their proposal.

Consultation should be meaningful and be conducted in an open, fair and transparent manner at all stages.

Once the draft proposal is complete the Headteacher should present this to the governing body for approval as the basis for formal consultation.

The draft proposal may include the following:

- The current structure and costs of each post which would be affected by the proposed adjustment;
- The revised structure with an analysis of the cost implications on the school budget over the whole period of transition.
- No named individuals should be identifiable, but the structure should show whether posts are new; comprising of several existing responsibilities; or a post matching the responsibilities of another i.e. 'slotting in' will be appropriate.

- Draft job descriptions for applicable posts.

## 2.2 Formal Consultation and Approval of Final Proposal

Following the approval of the draft proposal as the basis for formal consultation the information should be appended to the letter to the unions provided at **Annex D** and sent to all recognised trade unions. **Annex D** also provides a letter for all staff, which must contain details of where the proposals are available to staff in school.

Issuing these letters signifies the commencement of the period of formal consultation. It is recommended that this period spans a minimum of 3 working weeks/15 working days.

It may be necessary to meet further with groups of staff or individuals, as appropriate, to accept comments on the formal proposals. All comments, written and verbal, should be properly recorded and considered. Individuals may wish to involve union representatives at this stage.

At the end of the period of formal consultation the final proposal should be prepared for submission to the governing body. This should include the outcomes of the consultation process, including any written representations from staff or unions.

The final proposal should be presented to the governing body and the Headteacher should advise of any amendments proposed as a result of consultation and any comments not incorporated, with reasons.

The final staffing arrangements should be appended to the School's Pay Policy.