

Decision Sheet

Ref: **DRAFT**

Decision Sheet Title:

The termination of the contracts of up to 11 staff on the grounds of redundancy resulting from the closure of four primary schools and Brierley Bears Nursery

Decision Maker:

Councillor Pat Martin, Cabinet Member for Personnel Services

Ward(s) Affected:

Contains Exempt Information? Enter Yes or No: Yes

BY VIRTUE OF PARAGRAPH 1

SCHEDULE 12A OF LOCAL GOVERNMENT ACT

1.	<p><u>Decision</u></p> <p>To approve the termination of the contracts of up to 11 members of staff on the grounds of redundancy as a result of the closure of 4 primary schools and a Nursery.</p>
2.	<p><u>Background</u></p> <p>Following a review of Primary Schools in Dudley, Highfields, Sycamore Green and Holt Farm Primary Schools closed on 31 August 2006. Beauty Bank Primary School closed on 31 December 2006. Brierley Bears Nursery closed on 31 March 2007 as it had become financially unviable in the context of other Council early years provision together with the cessation of government funding.</p> <p>Of some 157 staff initially at risk, around 139 have been redeployed into, or have been successful in securing alternative employment.</p> <p>The staff referred to in this decision sheet are –</p> <ul style="list-style-type: none"> • 1 Lunchtime Supervisor/Cleaner • 3 Lunchtime Supervisors • 3 Cleaners • 1 Administrator • 1 Deputy Childcare Manager

	<ul style="list-style-type: none"> • 1 Senior Childcare Manager • 1 Childcare Worker <p>In accordance with the Constitution, approval for redundancy has been sought from Cabinet on 13th June 2007 for the remaining 7 staff who carry a pension entitlement and/or are Teaching staff.</p> <p>Support for redeployment has been given to all displaced staff from the Primary Schools since January 2006 and from February 2007 for the Brierley Bears staff. Since the closure of the schools and nursery, the majority of staff have been placed at alternative establishments as an additional resource. This was to enable continuing support to be offered to the staff whilst attempts to secure alternative employment were made. As agreed with the unions in February 2007, an additional term's support was agreed taking the support up to August 2007.</p> <p>1 member of staff secured a 12 month temporary contract which unfortunately cannot be extended for budgetary reasons, however, she has also received continuing support.</p> <p>The cost of placing staff from the Primary Schools will need to be met from the Schools Budget which is funded from the Dedicated Schools Grant (DSG) for 2007/2008. The cost of placing staff from Brierley Bears Nursery is continuing to be met by Early Years, Youth and Education Services. We are now in a position where it is not financially viable to continue with their employment in supernumerary positions.</p> <p>The Directorate of Children's Services support the termination of employment for these staff on the grounds of redundancy as their posts have been deleted as a result of the Primary Review and the closure of Brierley Bears Nursery every effort has been made to identify suitable alternative employment.</p> <p>These efforts will continue until the last day of employment.</p> <p>ASCL, NAHT, NASUWT, NUT, ATL, GMBTU, and UNISON have been consulted, a s.188 was issued to them on 18 May 2007.</p>
<p>3.</p>	<p><u>Financial Implications</u></p> <p>The estimated costs to the Council associated with the redundancies are detailed below. The immediate costs relating to the closure of the Primary Schools are to be agreed following the Schools Forum on 10 July 2007. The immediate costs relating to the closure of Brierley Bears Nursery is being met by Early Years, Youth and Education Services.</p> <p>It should be noted that none of the following staff currently contribute to the pension scheme and therefore, there is no pension entitlement.</p>

CH – Lunchtime Supervisor/Cleaner

Service: 21 years (11 years as Cleaner)
Age: 63
School: Holt Farm

Redundancy Payments:

Lunchtime Supervisor: £2,448
Cleaner: £2,316
Total: £4,764

The Holt Farm site has been utilised as an annex to Olive Hill Primary School whilst the Olive Hill new building was being constructed. This is now almost complete which will enable the pupils at the annex to move to Olive Hill. As such the Headteacher at Olive Hill has now completed the new staffing structure and it has been identified that CH's roles are no longer needed. CH will require redeployment for both posts within a reasonable distance from her home. CH works 6.25 hours as a Lunchtime Supervisor and 11 hours as a Cleaner and does not drive.

PS – Lunchtime Supervisor

Service: 18 years
Age: 50
School: Beauty Bank

Redundancy Payment: £2,678

We have been unable to redeploy PS within a reasonable distance from her home. PS works 1.25 hours each day and does not drive. She has been placed on a supernumerary basis at Oldswinford school since the closure of the school.

MB – Lunchtime Supervisor

Service: 9 years
Age: 62
School: Beauty Bank

Redundancy payment: £1,102

We have been unable to redeploy MB within a reasonable distance from her home. MB works 1.25 hours per day and does not drive. She has been placed on a supernumerary basis at Amblecote Primary School since the closure of the school.

AB – Lunchtime Supervisor

Service: 14 years
Age: 43
School: Holt Farm

Redundancy Payment: £1,224

The Holt Farm site has been utilised an annex to Olive Hill Primary School whilst the Olive Hill new building was being constructed. This is now almost complete which will enable the pupils at the annex to move to Olive Hill. As such the Headteacher at Olive Hill has now completed the new staffing structure and it has been indentified that AB's role is no longer needed. AB works 1.25 hours a day as a Lunchtime Supervisor and does not drive, therefore, will require redeployment within a reasonable distance from her home.

DH – Cleaner

Service: 11 years
Age: 52
School: Holt Farm

Redundancy Payment: £2,316

The Holt Farm site has been utilised an annex to Olive Hill Primary School whilst the Olive Hill new building was being constructed. This is now almost complete which will enable the pupils at the annex to move to Olive Hill. As such the Headteacher at Olive Hill has now completed the new staffing structure and it has been identified that AB's role is no longer needed. DH works 11 hours as a Cleaner and does not drive, therefore, will require redeployment within a reasonable distance from her home.

MK – Cleaner

Service: 3 years
Age: 55
School: Beauty Bank

Redundancy Payment: £861

MK has a second role within Dudley MBC as a School Crossing Patrol (SCP) which was originally based at Beauty Bank along with the cleaning role. She was redeployed to Greenfields Primary School as the SCP, therefore, redeployment in her cleaning role has to fit around her SCP hours of work together with being located within walking distance of either home or her SCP role which limits our ability to redeploy.

JH – Cleaner

Service: 3 years
Age: 64
Nursery: Brierley Bears

Redundancy Payment: £459

JH worked 8 hours per week at Brierley Bears, however, JH also has other employment. Redeployment is limited as there is a requirement to work around her current hours in other employment together with a

consideration for location for the number of hours worked at Brierley Bears (8 per week).

EP – Administrator

Service: 5 years
Age: 49
School: Beauty Bank

Redundancy Payment: £892

EP secured a temporary position at Ashwood Park Primary School. Due to budgetary constraints the school is unable to extend beyond 31 August 2006. EP works 9 hours a week and is limited to the timing of the hours she works as she has another job in the afternoon, this limits our ability to redeploy.

JR – Deputy Childcare Manager

Service: 8 years
Age: 30
Nursery: Brierley Bears

Redundancy Payment: £6,070

JR has been placed with the development team within Early Years, Youth and Education Services as she had requested experience within this area whilst we supported her in redeployment. They have been no suitable roles available to date for JR.

SE – Senior Childcare Worker

Service: 6 years
Age: 29
Nursery: Brierley Bears

Redundancy Payment: £4,006

SE has been placed at Wren's Nest Children's Centre (WNCC) whilst we support redeployment. SE has been approached by WNCC for a temporary post which has become available. The post has been ringfenced for redeployment and she is the most suitable redeployee. As the staff of WNCC are part of Wren's Nest Primary School establishment list there will still be a requirement to follow the school's recruitment procedure which means that SE will have to attend for an interview. It is likely that SE will secure this position, however, in the event that she does not then she has been included in this report.

	<p>NE – Childcare Worker Service: 3 years Age: 23 Nursery: Brierley Bears</p> <p>Redundancy Payment: £1,098</p> <p>NE has been placed at Brierley Hill Children’s Centre (BHCC) whilst we support redeployment. BHCC is part of the NCH children’s charity and they are looking to employ NE however this is subject to obtaining permission for the new post. NE has been included in this report in the event that they do not secure the necessary permissions.</p> <p>The total cost to the Authority for the 11 proposed redundancies will be:</p> <p>Total 1st year costs in 2007/2008 (one-off) £25,470</p> <p>£13,837 of the above redundancies will be funded by the Dedicated Schools Grant (DSG) which is subject to consultation with Schools’ Forum. £11,633 will be funded by Early Years, Youth and Education Services.</p>
4.	<p><u>Legal Implications</u></p> <p>The main provisions relating to the redundancy rights and payments for Local Authority employees are contained in Part XI of the Employment Rights Payments for Local Government (Modifications) Order 1983.</p> <p>Section 111 of the Local Government Act 1972 empowers the Council to do anything which is calculated to facilitate, or is conducive or incidental to the discharge of any of its functions.</p>
5.	<p><u>Authorisation</u></p> <p>..... (Cabinet Member’s Signature)</p> <p>Cabinet Member for: Personnel</p> <p>In consultation with: Head of Personnel and Support Services</p> <p>..... (Head of Personnel and Support Services)</p>

Date:

Decision Sheet prepared by:
(Ray Watson, Assistant Director - Resources)
x4203

Background Papers: None