



# **Proposed school closures/ amalgamations-**

# **Frequently Asked Questions**

**For schools and educational settings  
in the London Borough of Hackney**

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**These HR FAQs have been developed to answer the main questions we are receiving from our schools in relation to how the potential school closures or amalgamations may impact on staff if the proposals go ahead and will be reviewed and updated on a regular basis.**

This HR FAQs document is for headteachers and staff who are affected by potential school amalgamations or closures in the London Borough of Hackney.

Headteachers should ensure that all teaching/support staff in affected schools have access to the latest version of this HR FAQs document.

If you have a HR related question or concern regarding the proposed school closures or amalgamations, please contact your HR Business Partner or Advisor for further advice or email: [education.hr@hackney.gov.uk](mailto:education.hr@hackney.gov.uk).

Further guidance:

- More information about the proposals can be found on the project's page on the [Hackney Education website](#)
- General questions related to proposed closures and amalgamation of schools can be found on the frequently asked questions on [Hackney Education website](#).
- Further information on organisational change processes are available in the [Organisational Change Policy](#).

A list of questions covered in this document is below. It is advisable to read and understand all of the guidance. However, if you quickly need to refer to a specific answer, click on the question or heading below to jump to that section.

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## Process

### 1. What is the correct procedure for managing change involving potential school closures or amalgamations?

The government guidance [Opening and closing maintained schools](#) outlines the statutory procedure for opening or closing a maintained school. Further information on the current proposals for the six schools in Hackney can be found on the [Hackney Education website](#).

If during the statutory procedure, the decision is made to close or amalgamate a school/s, the [Organisational Change Policy](#) and the School Closure/Amalgamations - Staff Procedure outlines the process that will be followed in relation to staff.

This Organisational Change Policy and the School Closure/Amalgamations - Staff Procedure sets out Hackney Education's responsibilities in terms of consulting with and supporting staff who would be affected by the closure or amalgamation of their school.

### 2. What is the current timeline for the proposed closure or amalgamation of the six schools in Hackney?

More information about the proposals can be found on the project's page on the [Hackney Education website](#).

Hackney Education HR is currently working closely with the affected schools and understands that headteachers and staff will have many questions about the proposed schools closures and amalgamations and how they could potentially impact on staff.

The purpose of these HR FAQs is to provide guidance on the processes and arrangements that will apply in relation to staff following the decision to close or amalgamate the six schools in Hackney.

## Consultation process for staff

### 3. What is the purpose of the formal staff consultation process for a school closure/amalgamation?

Staff consultation is focused on ensuring affected staff are clear about the proposals for the school closure/amalgamation and how this will potentially impact on them. The staff consultation process will provide staff with the opportunity to put forward their proposals/ideas which will be considered by those leading the potential implementation of the school closure/amalgamation.

There is an obligation to consider but not to adopt all or any of the proposals put forward by the staff and other stakeholders.

Staff will be able to submit their views in relation to the proposals as part of the 28 day representation period. Further information can be found on the [Hackney Education's Schools Estate Strategy page](#).

The staff consultation period will also provide staff with information and support on finding alternative employment and their rights during a redundancy situation.

## Redeployment/job opportunities

### 4. If my role is ending due to my school closing or amalgamating, will I be considered for other roles within Hackney?

Staff who are under notice of redundancy will be considered for potential redeployment opportunities if available within Hackney Council. These are roles that would be considered suitable alternatives for staff who are under notice of redundancy. The offer of redeployment must be suitable in terms of pay, status, place of employment etc.

Staff who have been displaced due to school closures do not have redeployment rights to roles in other schools within the borough due to statutory guidance which confirms that it is the governing body who is responsible for the recruitment of staff within their school.

However every effort to support staff to find alternative work in Hackney Council will be made.

### 5. What's the redeployment process for Hackney Council/Education?

There are slightly different processes for roles within Hackney Council and roles within Hackney Education/schools within the London Borough of Hackney.

#### For roles within Hackney Council

Once you become a redeployee, your details will be sent to the Recruitment Manager in LBH, by the HR Advisor. You will receive an email from the Recruitment Manager providing you with a link to jobs listed on the redeployment site. These jobs are listed 2 days prior to being advertised internally/externally, giving you priority access to jobs.

If there are any jobs you have applied for you must inform the HR Advisor and Recruitment manager. The link that you have been provided is for your use only. **You cannot share the link with anyone else, or forward it to your personal email account.** i.e. you can only use it via your work's email.

It is your responsibility to check the site regularly and to identify potential opportunities. If you find a vacancy that you would like to apply for, please apply via the redeployment site. This is very important.

If you apply for the role within the 2 days prior to the advert going live internally and externally, LBH will not proceed with the advertising. If you meet the minimum requirements of the role, you will be interviewed.

If you apply for the role within the timeframe of the role being advertised internally and externally, then all applications will be sent to the hiring manager to review but the hiring manager will be informed that you are a redeployee and you will be interviewed if you meet the minimum requirements of the role.

### **For job opportunities within schools within LBH/Hackney Education**

Schools within the borough are encouraged to provide opportunities to retain skilled and experienced staff who have been displaced due to school closures or amalgamation within Hackney.

Hackney Education vacancies can also be accessed through the School and other Education Jobs in Hackney link, at <https://education.hackney.gov.uk/jobs>

You will still be required to complete an application form and be interviewed to determine suitability to post. If you apply for the post please inform the HR Advisor supporting the schools with the process, who will ensure that the hiring manager is aware that you are a redeployee.

Under the Employment Rights Act 1996, the employee will not be entitled to a redundancy payment if they unreasonably refuse a suitable alternative offer or unreasonably terminate the contract during the trial period in the new role.

### **6. If alternative employment is found, will I be able to try out the new job?**

Yes, staff who are deployed into a new role through a redeployment process are entitled to a four-week trial period. The trial period may be extended for the purposes of retraining (if appropriate), but only if the agreement is made in writing before the employee starts work under the new contract and it specifies the date on which the period of retraining will end and the terms and conditions that will then apply.

If during the trial period the redeployment is deemed unsuccessful by either or both parties and no other suitable alternative is found, the employment will still be ended by reason of redundancy on the date on which employment on the old contract ended and the individual will receive any redundancy payment they are entitled to.

### **7. Can there be more than one trial period regarding suitable alternative work?**

Yes, if it becomes apparent during a trial period that the new job is unsuitable, the employer can offer an alternative, if available. The employee will be entitled to a separate trial period for this alternative role.

### **8. In a redundancy situation can I refuse an offer of suitable alternative employment in another school in Hackney?**

Staff cannot be forced to accept an offer of alternative employment in another school in Hackney. However, if a member of staff secures alternative employment in Hackney and there is no break in service, they will not be entitled to a redundancy payment.

### **9. If I'm offered a less paid position, will the school be obliged to continue paying me at the same level?**

Pay protection is for a maximum of 6 months in line with your terms and conditions of employment (Support staff).

Pay protection is for a maximum of 3 years in line with your terms and conditions of employment (Teaching staff).

## **Redundancy**

### **10. When will I know if I am at risk of redundancy?**

Following the staff consultation process, staff that are at risk of redundancy will be given formal notice of redundancy in writing; at this point they will be considered as a redeployee until the end of their notice period.

Staff will only be made redundant if they are unable to secure a role that is considered a suitable alternative during their notice period.

### **11. What right do employees who are under notice of redundancy have to take time off work?**

Staff who are at risk of redundancy have the right to take reasonable paid time off to look for new employment or make arrangements for training for future employment. What is 'reasonable' will depend on the individual circumstances of the case and will also be down to the discretion of the Headteacher/line manager.

### **12. If I am made redundant in the summer term what's my last day of service?**

The last day of service would be 31 August and this is the date staff will be paid until. Their last working day will be the day in July when the school ends for the summer break.

### **13. If I am made redundant will I be offered a redundancy payment?**

To be eligible for a redundancy payment, an employee must be continuously employed for a period of not less than two years.

### **14. Is my redundancy pay calculated on gross pay (before reductions) or net pay (after reductions)?**

The redundancy pay will be calculated on the actual weekly gross pay (before reductions) averaged over the previous 12 weeks leading to the date of dismissal.



**15. My continuous service start date is after the start of the academic year. Will that academic year count?**

No. The redundancy payment is based on each full calendar year worked from the date when an individual's continuous service started.

**For example:** If you start on 1st October 2020 and are made redundant on 31st August 2024, this will only count as 3 years full service.

**16. If I am over 40, am I entitled to 1.5 weeks for every year I have worked?**

No. The 1.5 weeks is paid for full years of service after a member of staff turns 41.

**Examples**

A member of staff is 46 and has 10 years of continuous service. They will be entitled to 5 weeks @1.5 and 5 weeks at flat rate so a total of 12.5 weeks.

A member of staff is 59 and has completed 26 years of service. The maximum number of years that is counted towards the redundancy payment calculator is 20 years. They will be entitled to 18 @ 1.5 weeks and 2 @ the flat rate so a total of 29 weeks.

**17. If I worked in another Hackney school or another local authority in the past, before joining my current school will my continuous service date be the date I joined my school or the date that I joined Local Government?**

If a member of staff has not had a break in service for more than one week, continuous service will be from the date the staff member started working for Local Government in relation to maternity, sickness absence and redundancy payments (please refer to Q21 for further details).

**18. I worked for a charity for 5 years supporting schools before I took the job in the school? Shouldn't that be included in my continuous service?**

No – a charity is not considered part of the local authority or council so service in a charity cannot be included in the continuous service calculations.

**19. Is there a monetary incentive if I take voluntary redundancy?**

If staff are asked to volunteer for redundancy there will be no monetary incentive if they wish to pursue this, other than the normal redundancy and notice pay entitlements.

**20. Can I start to work in another school in Hackney or in London Borough of Hackney or in another Local Authority after I am made redundant?**

Continuous service is maintained if an individual moves to a new post in another local authority post (this includes posts in any school) within one week (7 days).

In regards to redundancy payments, if a member of staff is made redundant by local authority maintained schools, former grant maintained schools, city technology colleges, maintained further

education colleges or universities/colleges funded by the Higher Education Funding Council for England (continuity of Employment in Local Government -Modification) and takes up a post with one of these bodies or a position in any local authority within one month and one day, they will not be entitled to a redundancy payment because the previous service is carried forward to the new employment.

Any redundancy money which has been paid to an individual would need to be reimbursed to the previous employer.

**21. I have a dual role within the school. Will my longest continuous service be used for both roles?**

No, continuous service (and redundancy payments) for each role will be based on the start date of each separate contract of employment.

**22. If I am made redundant, will I be compensated for additional hours that I undertake outside my contract?**

Redundancy payments are based on contractual hours, however individual cases will be discussed during the staff consultation process.

**23. I'm on a fixed term contract of 2 years, if the proposals are agreed - will I be entitled to a redundancy payment?**

If a member of staff has reached two years service at the date of the schools closure they may be entitled to a redundancy payment. Individual cases will be discussed during the staff consultation and will depend on the reason for the fixed contract.

**24. I am working as an Early Career Teacher (ECT), if the proposals are agreed and my school closes what happens to my ECT training?**

ECT staff will be included in any processes (such as redeployment) and receive entitlements if their role is made redundant in the same way as qualified teaching staff and in line with their terms and conditions of employment.

Hackney Education will work proactively with schools who have any ECT's who will be part way through their induction if their school closes to discuss options/support for the ECT on a case by case basis.

**25. What happens to my maternity pay if I am on maternity leave when my school closes?**

Staff who are on maternity leave and are entitled to 39 weeks Statutory Maternity Pay will be paid any outstanding statutory maternity pay as a lump sum in their final salary payment. Their occupational maternity pay will be paid up until their last date of employment.

## Pension

### 26. If I am made redundant, what will happen to my pension?

#### Support Staff

If a member of support staff is made redundant and is aged at 55 or above, pension benefits are payable immediately and they will also receive a redundancy payment.

When their pension is automatically released as a result of being made redundant and there is a pension fund strain cost to be met, then a corresponding offset against the discretionary severance element will be made. This will not affect the amount of redundancy payment that they receive, but could, in the case of there being a pension fund strain cost to be met, affect the discretionary severance element.

Support staff can contact the Hackney Council Pensions team to discuss their pension on:

Email contact: [pensions@hackney.gov.uk](mailto:pensions@hackney.gov.uk)

Phone contact: 020 8356 2521.

#### Teachers

If a teacher is made redundant and they are aged at 55 or above, they can choose for the pension benefits to be payable to them, plus they will receive a redundancy payment.

If they choose to release their pension as a result of being made redundant and there is a pension fund strain cost to be met, then a corresponding offset against the discretionary severance element will be made. This will not affect the amount of redundancy payment that they receive, but could, in the case of there being a pension fund strain cost to be met, affect the discretionary severance element.

If a teacher has an additional role outside of the school, these arrangements will need to be reviewed as there may be additional strain costs to be incurred for the additional role.

Teaching staff can [contact Teachers Pensions](#) team to discuss their pension.

## Benefits

### 27. Will being made redundant impact my current benefits, or will it impact on me making a request for benefits?

When calculating benefits, redundancy payments are not considered income, but will be considered as capital (like savings). Depending on the amount of capital an individual has, this will affect their entitlement to claim benefits.

Further guidance is available at:

- GOV.UK [Being made redundant: finding work, claiming benefits and managing debts](#)
- Turn2Us: [Redundancy](#) including a useful [calculator](#) to check what benefits individuals are entitled to.

## Training

### 28. Will training opportunities be made available to me?

Based on the training needs analysis completed by staff affected by the schools closures/mergers in December, Hackney Education has sent details of courses available for staff to attend. These courses are available to be completed by August 2024.

## Support for affected staff

### 29. What support is available for staff affected by the proposed school closures/amalgamations?

Staff who are being affected by the proposed school closures and amalgamations can contact their school's EAP service.

Hackney Education has also arranged the following workshops for each school:

- Benefit Workshop
- Pension Workshop
- 1:1 career counselling
- CV/Application Form/Interview Workshop
- E learning Modules on Redundancy Process, CV/Application Form and Interview Preparation
- Available Courses based on based on the Training Needs Analysis Survey
- CPD offers

### 30. How will I obtain an employment reference once the school is closed?

If the proposals go through, personnel files will be transferred to Hackney Education and reference requests should be directed to Hackney Education HR. Hackney Education will provide employment references for staff who have been affected by schools closures and amalgamations.

## Further information:

- [Opening and closing maintained schools: Statutory guidance for proposers and decision makers](#)
- Hackney Education: [Organisational Change Policy](#)