



# TUPE Consultation

**For Ortu Federation staff**

Peter Hughes, Interim CEO

19 November 2024



# TUPE Consultation - Guidance

## Transfer of Undertakings (Protection of Employment)

- TUPE regulations protect your rights as an employee when you transfer to a new employer.
- A 'TUPE transfer' happens when:
  - an organisation, or part of it, is transferred from one employer to another
  - a service is transferred to a new provider, for example when another company takes over the contract for office cleaning
- In most circumstances, the regulations prevent the new employer from changing any of your contractual terms and conditions so your pay will remain the same.
- The consultation will not discuss the fact that the transfer is happening, but it could include changes [measures] such as location of work or hours of work.



# TUPE Consultation

## Transfer of Undertakings (Protection of Employment)

- Ortu Federation colleagues will transfer to Mossbourne Federation on 1<sup>st</sup> January 2025
- The TUPE consultation is open today and runs for one month
- At midnight on 31<sup>st</sup> December 2024, you will cease to be an Ortu Federation employee, and your new employer will be Mossbourne Federation
- The Ortu Federation will continue to be a 'company' until it is wound down, around Easter 2025.
- All colleagues will have the opportunity to meet individually or in groups represented by their union
- There will be an ongoing dialogue with unions throughout the consultation
- We will maintain FAQs which we will update and regularly publish



# Ortu Federation will inform and consult

Ortu must consult with any recognised Trade Union or, if there is none, appropriate employee representatives, about the transfer and which staff it will affect.

- Union representatives have agreed to represent all staff not belonging to a Union:
  - Frans Botha – NEU
  - Jen – NEU
  - Sean Patel - NASUWT
  - Jasmine – GMB
  - Peter Samson - Unison
- Ortu does not have to make the changes you and your representatives suggest.
- Before Ortu Federation makes a final decision, we do need to show that we have discussed any changes with you, listened to your suggestions and fully considered them and tried to reach agreement

# What happens during a TUPE transfer?

When you transfer by TUPE from one employer to another:

- The old and new employers identify who is affected by the transfer;
- The old and new employers inform (and/or consult) employees affected by the transfer;
- The old employer provides the new employer with information about the employees who are transferring. This is known as 'employee liability information' (ELI).
- Your contract continues with your new employer. Your current employer is not ending your contract, it automatically transfers to the new employer on the transfer date.
- On the date of the transfer, your new employer automatically takes over your employment contract.
- Your new employer must inform you in writing that there's been a change of employer.



# Your terms and conditions of employment

- Your terms and conditions of employment automatically transfer to your new employer.
- Terms and conditions of employment may include
  - Pay, including any overtime pay
  - Pension contributions and benefits
  - Sick leave and pay
  - Holiday leave and pay
  - Allowances
- The responsibility for paying outstanding wages or unpaid bonuses will transfer to your new employer.
- Your length of service will not be affected. You will carry your continuous service to the new employer.



# If you do not want to transfer

- If you do not want to transfer to the new employer, you can refuse, but you would usually have no rights to claim:
  - Redundancy pay
  - Unfair dismissal
- Before you make a decision, it's a good idea to explore all your options. You might want to contact ACAS, speak to your Union representative, or get legal advice.
- If you decide you do not want to transfer, you'll need to tell your current employer in writing. Please notify your Principal, copying in HR.
- This will be treated as if you're resigning and they'll need to inform the new employer that you will not transfer.

# What are the measures in this transfer?

1. Contracting out the cleaning and catering services from April 2025
2. Restructuring the Ortu Federation – this will include:
  - Teaching roles
  - Teaching Leadership roles
  - Teaching support roles
  - Back office, associate and administrative roles
  - Central Services roles





# Timelines

19 November to 18 December 2024

Consultation about TUPE transfer

Consultation about the new structure

6 January to 6 February 2024

Individual consultation about your role

Appointments to the new structure

From 6 February 2025

Notice periods/start new roles

A full timeline is provided in Appendices.



# What happens next?

- Please ensure you take your letter at the end of the meeting
- This presentation has been recorded so that absent colleagues can view it
- Staff on leave (such as maternity, parental, sickness) will be included
- All non-attendees will receive their letters as soon as possible
- To book a meeting, or to ask any questions, please contact Alison Lynch, Senior HR Business Partner, Ortu: [alynch@hassenbrook.org.uk](mailto:alynch@hassenbrook.org.uk)
- Look out for published FAQs



# Restructuring

**Right sizing the Ortu Federation for the future**



# Background

- The Ortu Federation delivered a management account deficit outturn of (£40k) to year end 23/24.
- We stated a reserves position of £2.4m at the beginning of 23/24 – this was misstated. The true reserves position is £1.2m.
- Our staffing spend is greater than 80% (DfE recommended maximum) and projected to rise.
- The desire to set a balanced budget with significant staffing overspend has led to reduced curriculum resources, facilities and ICT spend.
- Overspending on staffing has been at the expense of essential curriculum resources, ICT and facilities spend, which is impacting negatively on pupil outcomes.
- We expect that an investment of over £10m will be required to bring facilities up to speed over several years, confirmed by conditions surveys verified by DfE. Mossbourne has been awarded £3.2m SSICB funding by DfE to *support* estates improvement, and there is a risk to timeout on these funds.
- Financial challenges will be exacerbated in future years as Gable Hall funding will reduce by £1.4m in 2025/26.
- Doing nothing means that we will return a £2.1m deficit by the end of 2025/26
- This financial backdrop makes us a less attractive merger prospect and reduces our ability to invest in resources for our pupils' futures. Action is required to avoid further delays to the merger.

# Restructuring: purpose

The purpose is to **right size our operation**, including all academies and back office, resulting in a structure that is fit for purpose to deliver an outstanding education and to navigate the school improvement period ahead.

- Almost 81% of our expenditure is on staffing and it should be 75 - 80%
- We have an over supply of leaders, expensive allocation of allowances, and an expensive curriculum model. Gable Hall and Hassenbrook are both over budgeted on teaching staff this academic year.
- Our teaching support numbers are higher than can be justified given our SEND budget and pupil needs.
- We are underinvested in buildings, IT infrastructure and the back office. We need to remedy this so we our teachers can work smarter not harder and so that we create more time in teachers' days to focus on school improvement and on pupil outcomes.

# What do these changes mean?

To remedy our financial position, we propose a restructure and a review of our operation, across all schools, but particularly in the secondary phase.

This will involve us considering issues that we had hoped could be looked at further down the line. These include:

- moving to a more efficient staffing structure
- streamlining our curriculum more quickly than previously expected
- reviewing pupil numbers
- reviewing academic dates and the structure of the school day

**The Ortu Federation 'Restructuring & Redundancy Policy' will be used.**



# Governance

- The Ortu Federation Board has authorised a review of staffing structures
- A sub-committee of Board has been established to:
  - oversee the restructuring process
  - approve the change proposals
  - consider the outcomes of consultation
  - approve final proposals before implementation.
- A project team lead by the CEO will run this process, representing Ortu.



# New Curriculum

Must be read with Proposed Curriculum Document (DO NOT READ INDEPENDENTLY)

Periods per week 32 x 50 min periods per week

Subject	Year 7 & 8	Year 9	Year 10	Year 11
English	4	4	4	5
Maths	4	4	4	5
Science	4	4	6	6
History	2	3	3	3
Geography	1	1	-	-
Religious Studies	2	3	3	-
MFL	3	3	3	3
PE	2	2	1	1
Drama	1	-	-	-
Music	1	-	-	-
Art/ Technology*	2	-	-	-
Creative Elective+	-	2	-	-
Options	-	-	3	3
Bourne Scholar	1	1	1	1
Prep	5	5	4	5
<b>Total</b>	<b>32</b>	<b>32</b>	<b>32</b>	<b>32</b>

Subject	Year 12 & 13
English	5
Maths	5
Further Maths	5
Biology	5
Chemistry	5
Physics	5
History	5
Geography	5
Philosophy & Ethics	5
Drama	5
Dance	5
Fine Art	5
Photography	5

Not included at present but taught in lower school: Spanish, French textiles, food & music. This is being reviewed at present. Transition details and exact subject offering is current under review.





# New School Day

Must be read with Proposed Curriculum Document (DO NOT READ INDEPENDENTLY)

Monday, Tuesday, Wednesday		Thursday		Friday	
Registration	8:20	Registration	8:20	Registration	8:20
Period 1	8:40	Period 1	8:40	Period 1	8:40
Period 2	9:30	Period 2	9:30	Period 2	9:30
Break	10:20	Break	10:20	Break	10:20
Period 3	10:40	Period 3	10:40	Period 3	10:40
Period 4	11:30	Period 4	11:30	Period 4	11:30
Lunch (5)	12:20	Lunch (5)	12:20	Period 5	12:20
Period 6	13:15	Period 6	13:15	End of Day or Lunch	13:15
Period 7	14:05	Period 7	14:05	<b>End</b>	<b>13:45</b>
Period 8	14:55	<b>End</b>	<b>14:55</b>		
<b>End</b>	<b>15.45</b>				



# New School Year

Must be read with Proposed Curriculum Document (DO NOT READ INDEPENDENTLY)

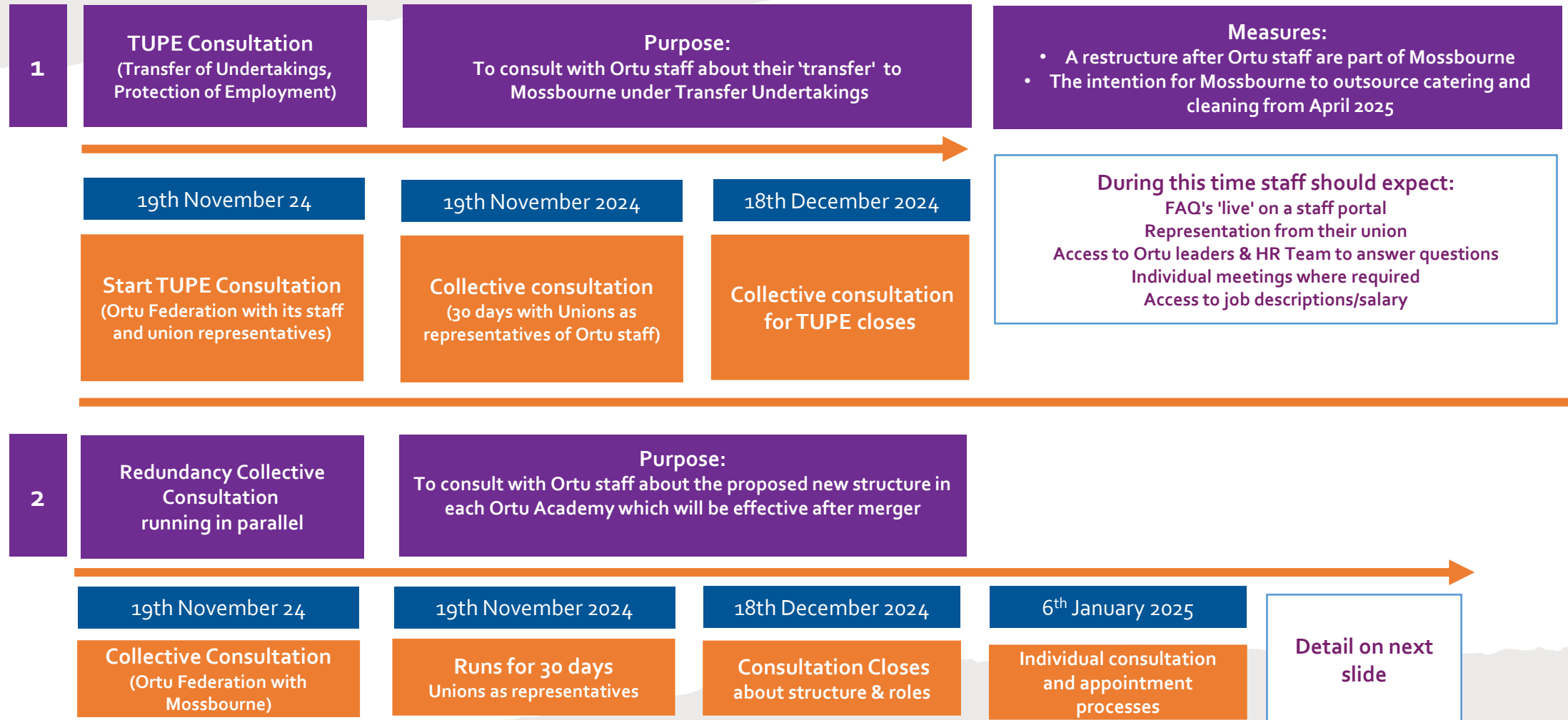
Current	Proposed	Benefits
<b>5 INSET days per year; 2 taken as twilights</b>	8 INSET days per year; 3 taken as twilights each Thursday	Increase of 60% to INSET Regular of often training built in. Increase focus on subject specific training. Dedicated time to collaborate across schools.
<b>End of year exams slotted into normal curriculum time</b>	Curriculum stops 2 weeks before end of staff year. End of year exam completed after the curriculum stops then term finishes for students. Last week of term is student-free, staff do marking, moderation and assessment.	Students have dedicated time to focus on examinations. Examination completed in similar style to end GCSE and A level examinations Staff have time to mark examinations as teaching has finished for the year.
<b>INSET days are decided year by year by individual schools</b>	A clear structure of 3 days as twilight, 1 day for federation, 1 day for Performance management and 3 days to be decided by the school.	Ensure federation and performance management time are built into rather than bolted onto the structure. School has 3 school specific days to work on individual school culture and or school specific training needs.
<b>School starts early September</b>	Earlier start to the school year. First day after August long weekend.	More time with examination groups. More holidays pre GCSE and A level results days for staff. Less deadtime at the end of the year with non-exam groups.
<b>Two week October half term</b>	One week October half term	More time with examination groups. More holidays pre GCSE and A level results days for staff. Less deadtime at the end of the year with non-exam groups.



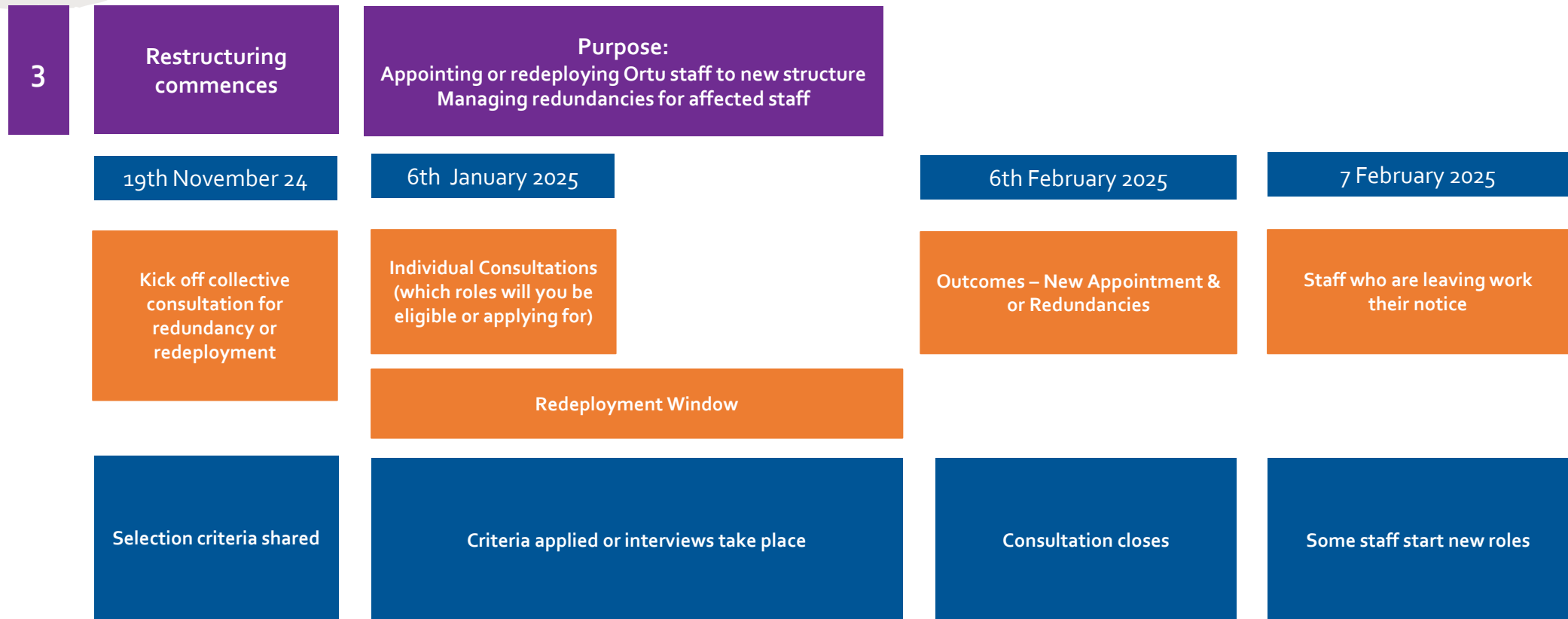
# Appendices



# Appendix A. Timeline for TUPE process



# Appendix B. Timeline for restructuring





# Appendix C: target operating model

Allocation	Ortu									
	Gable Hall (Secondary)		Hassenbrook (Secondary)		Corringham (Primary)		Central Services		Total	
	2024/25	2025/26	2024/25	2025/26	2024/25	2025/26	2024/25	2025/26	2024/25	2025/26
<b>Total Income</b>	8,933	7,696	5,453	5,253	3,052	3,113	1,482	1,365	17,438	16,061
Excluded Income									-	-
<b>Expenditure</b>										
Teaching Staff	5,226	4,502	3,190	3,073	1,511	1,541	262	241	10,188	9,357
Educational Support & Administration Staff	983	847	600	578	610	623	1,046	964	3,239	3,011
Subtotal - Staffing	6,209	5,348	3,790	3,651	2,121	2,163	1,308	1,205	13,427	12,367
Non-staff	1,831	1,578	1,118	1,077	626	638	174	161	3,749	3,453
Capital	134	115	82	79	46	47			262	241
Central Services	759	654	463	446	259	265	-	-	1,482	1,365
<b>Total Expenditure (Minus CS)</b>	<b>8,174</b>	<b>7,041</b>	<b>4,989</b>	<b>4,806</b>	<b>2,792</b>	<b>2,848</b>	<b>1,482</b>	<b>1,365</b>	<b>15,956</b>	<b>14,696</b>



# Appendix D: current vs target operating model

Budgeted	Ortu									
	Gable Hall (Secondary)		Hassenbrook (Secondary)		Corringham (Primary)		Central Services		Total	
	2024/25	2025/26	2024/25	2025/26	2024/25	2025/26	2024/25	2025/26	2024/25	2025/26
<b>Income</b>										
<b>Total Income*</b>	8,174	7,041	4,989	4,806	2,792	2,848	1,482	1,365	17,438	16,061
<b>Expenditure</b>										
Teaching Staff	5,656	5,825	3,282	3,380	1,338	1,378	5	5	10,280	10,588
Variance from model	(430)	(1,323)	(92)	(307)	173	163	256	236	(92)	(1,232)
% variance of teacher salaries from model	-8.2%	-29.4%	-2.9%	-10.0%	11.5%	10.6%	98.0%	97.8%	-0.9%	-13.2%
Educational Support & Administration Staff	1,154	1,189	751	774	879	906	1,038	1,069	3,823	3,937
Variance from model	(171)	(342)	(151)	(196)	(269)	(283)	8	(106)	(584)	(927)
% variance of support staff salaries from model	-2.8%	-6.4%	-4.0%	-5.4%	-12.7%	-13.1%	0.6%	-8.8%	-4.3%	-7.5%
Subtotal - Staffing	6,810	7,014	4,033	4,154	2,217	2,283	1,043	1,075	14,103	14,526
Variance from model	(601)	(1,665)	(243)	(503)	(96)	(120)	264	130	(676)	(2,159)
% variance of staff salaries from model	-9.7%	-31.1%	-6.4%	-13.8%	-4.5%	-5.5%	20.2%	10.8%	-5.0%	-17.5%
Non-staff expenditure	1,580	1,611	1,190	1,214	638	651	155	158	3,564	3,635
Variance from model	252	(34)	(73)	(137)	(13)	(13)	19	2	186	(182)
% variance of non salary expenditure from model	13.7%	-2.1%	-6.5%	-12.8%	-2.0%	-2.0%	11.0%	1.5%	4.9%	-5.3%
Capital	-	-	-	-	-	-			-	-
Variance from model	134	115	82	79	46	47			262	241
% Variance from model	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%			100.0%	100.0%
<b>Total Expenditure</b>	<b>8,389</b>	<b>8,625</b>	<b>5,223</b>	<b>5,368</b>	<b>2,855</b>	<b>2,934</b>	<b>1,199</b>	<b>1,233</b>	<b>17,666</b>	<b>18,161</b>
Variance from model	(215)	(1,584)	(234)	(562)	(63)	(86)	284	132	(228)	(2,100)
% variance of total expenditure from model	-2.6%	-22.5%	-4.7%	-11.7%	-2.2%	-3.0%	19.1%	9.7%	-1.4%	-14.3%
<b>In-Year Surplus / (Deficit)</b>	<b>(215)</b>	<b>(1,584)</b>	<b>(234)</b>	<b>(562)</b>	<b>(63)</b>	<b>(86)</b>	<b>284</b>	<b>132</b>	<b>(228)</b>	<b>(2,100)</b>



# Appendix E: Teaching requirements – Gable Hall

## **Data sources:**

- Ortu Payroll
- Proposed curriculum and staffing model
- Data/Numbers of roles at risk will be reviewed regularly during the consultation period

## **Periods required per week:**

- 1073 periods of teaching
- 141 supervision periods

## **Restructure aims to create capacity across the following roles;**

- Resizing SLT and removals of Lead Practitioner
- Redeployment into senior leadership roles, including Head of Learning Area (HOLA)
- Resizing Middle Management opportunity and Redeployment opportunity open for new roles such as Heads of Department, second in charge and Key Stage Coordinators
- Teaching staff will then be reviewed based on subject and numbers of roles on management appointments



# Appendix F: Changes to roles & Pool – Gable Hall teaching



Job Title	Head count (as is)	Head count (post restructure)	Roles at risk - Pool	Teaching load (nominal) (taught + supervision)
Principal	1	1	0	4 + 2
Senior Vice Principal	2	2	0	12 + 2
Vice Principal	7	3	4	14 + 2
Assistant Principal	4	2	2	16 + 2
<b>Assistant Principal/Head of Learning Area (New Role)</b>	-	2	-	16 + 2
<b>Head of Learning Area (New Role)</b>	-	4	-	18 + 2
SENDCo	1	0.5*	0.5	16 + 2
<b>Learning Support Teacher (New role)</b>	-	1	-	22 + 2
<b>Mossbourne Excellent Teacher (New role)</b>	-	1	-	18 + 2
<b>Head of School (New Role)</b>	-	1	-	16 + 2
<b>Second-in-charge of a Learning Area (New Role)</b>	-	6	-	21 + 2
Head of Department	12	6	6	22 + 2
<b>Key Stage Coordinator (New Roles)</b>	-	2	-	22 + 2
Head of Year	6	7	0	16 + 2
Teacher Of	31	19	12**	23 + 2

\* SENDCo role will be a full-time role, split between the two secondaries

\*\*See slide 16 for more information

Note that while it is impossible to identify precisely in which Learning Areas the reduction in teaching roles will be seen, it is likely that the majority will be seen in subjects which will no longer be on the curriculum, plus Expressive and Performing Arts

# Appendix G: Roles at Risk no longer in Structure– Gable Hall teaching



Job Title Based on Subject area no longer in the Curriculum	Head count (as is)	Head count (post restructure)	Roles at risk	Comments
Teacher in Charge (geography)	1	0	1	Possible equivalent role – Head of Department.
Excellent Teacher (maths)	1	0	1	Redeployment opportunities as HOD, 2 I/c, Key Stage Coordinator
Lead Practitioner	3	0	3	Redeployment opportunities as HOD, 2 I/c, Key Stage Coordinator
Trainee Senco	1	0	1	
Cover Supervisor	1	0	1	
Head of Business Studies	1	0	1*	
Teacher Media	1	0	1*	
Head of H&SC	1	0	1*	
Teacher or Business Studies	2	0	2*	
Teacher of Psychology	1	0	1*	
Teacher of Computing Science	1	0	1*	
ITT/NQT Oversight Teacher	1	0	1*	
Teacher of Ccioaco	1	0	1*	

\*Role already considered at risk on slide 15

Note that these 16 roles are at risk either because the Subject area will no longer be needed in the Curriculum, or because the role is not part of the new structure. Redeployment opportunities will be available.

Note further that each role will be reviewed in terms of operational needs, and redundancy dates may vary accordingly. This will be discussed during consultation with Unions and individual staff impacted



## Appendix H: Changes to roles (Pool & at Risk)– Gable Hall support

Job Type	Head count (as is)	Head count (post restructure)	Roles at risk/Pool	Comments
Learning Support Assistant (Teaching Assistant)	11	1	10	
Sixth Form Administration	2	1	1	
Librarian	2	1	1	
Careers Lead (Careers Officer)	1	0.5*	0.5	
Administration	9	6**	3	Rescope roles and reduction
Senior Administrative Officer/Office Manager	1	1***	0	Rescope role
Technician	5	3	2	
Pastoral Support Manager	7	0	7	
Counsellor	1	0	1	
<b>Academic mentor and careers assistant (New Role)</b>	-	1	-	JD, weekly hours, Job Title still to be defined
<b>Academic mentor (New Role)</b>	-	1	-	JD, weekly hours, Job Title still to be defined
<b>Behaviour support manager (New Role)</b>	-	1	-	JD, weekly hours, Job Title still to be defined
<b>Reflection room support (New Role)</b>	-	1	-	JD, weekly hours, Job Title still to be defined
<b>Isolation room support (New Role)</b>	-	1	-	JD, weekly hours, Job Title still to be defined

\* Careers role will be a full-time role, split between the two secondaries

\*\* Roles at risk and rescoping roles

\*\*\* Roles not at risk, but re-scope of responsibilities.



# Appendix I: Teaching requirements – Hassenbrook

## **Data sources:**

- Ortu Payroll
- Proposed curriculum and staffing model
- Data/Numbers of roles at risk will be reviewed regularly during the consultation period

## **Periods required per week:**

- 661 periods of teaching
- 101 supervision periods

## **Restructure aims to create capacity across the following roles;**

- Resizing SLT and removals of Lead Practitioner
- Redeployment into senior leadership roles, including HOLA
- Resizing Middle Management opportunity and Redeployment opportunity open for new roles such as Heads of Department, second in charge and Key Stage Coordinators
- Teaching staff will then be reviewed based on subject and numbers of roles on management appointments

# Appendix J: Changes to roles & Pool- Hassenbrook teaching



Job Title	Head count (as is)	Head count (post restructure)	Roles at risk - Pool	Teaching load (nominal) (taught + supervision)
Principal	1	1	0	4 + 2
Senior Vice Principal	0	1	0	12 + 2
Vice Principal	2	1	1	14 + 2
Assistant Principal	5	3	2	16 + 2
<b>Head of Learning Area (New Role)</b>	0	6	0	18 + 2
SENDCo	1	0.5	0.5	16 + 2
<b>Learning Support Teacher (New Role)</b>	0	1	0	22 + 2
<b>Mossbourne Excellent Teacher (New Role)</b>	0	1	0	18 + 2
<b>Second-in-charge of a Learning Area (New Role)</b>	0	1	0	21 + 2
Head of Department	7	5	2	22 + 2
<b>Key Stage Coordinator (New Role)</b>	0	4	0	22 + 2
Head of Year	5	5	0	16 + 2
Teacher Of	20	9	11	23 + 2

\* SENDCo role will be a full-time role, split between the two secondaries

\*\*See slide 20 for more information

Note that while it is impossible to identify precisely in which Learning Areas the reduction in teaching roles will be seen, it is likely that the majority will be seen in subjects which will no longer be on the curriculum or learning areas where there is a surplus of Teachers. Appointments of Middle Management will provide opportunity to review Teacher of roles at risk.

# Appendix K: Roles at Risk no longer in Structure– Hassenbrook teaching



Job Title Based on Subject area no longer in the Curriculum	Head count (as is)	Head count (post restructure)	Roles at risk
Lead Practitioner	5	0	5
Trainee Senco	1	0	1
<b>Teacher of Construction</b>	1	0	1*
<b>Teacher of PSHE</b>	1	0	1*

\*Role already considered at risk on slide 19

Note that these 8 roles are at risk either because the Subject area will no longer be needed in the Curriculum, or because the role is not part of the new structure. Redeployment opportunities will be available.

Note further that each role will be reviewed in terms of operational needs, and redundancy dates may vary accordingly. This will be discussed during consultation with Unions and individual staff impacted

# Appendix L: Changes to roles (Pool & at Risk)– Hassenbrook support



Job Type	Head count (as is)	Head count (post restructure)	Roles at risk
Learning Support Assistant (Teaching Assistant)	4	1	3
Librarian	2	1	1
Careers Lead (Careers Officer)	1	0.5	0.5
Administration	5	5*	0*
Senior Administrative Officer/PA	1	1*	0*
Technician	3	2	1
Pastoral Support Manager	6	0	6

\*Roles not at risk, but re-scope of responsibilities.