

Letter from the Headteacher of each school to their staff

To all staff of:-

- St Gregory the Great Catholic School (Oxford)
- St John Fisher Catholic Primary School (Littlemore)
- St Joseph's Catholic Primary School (Thame)
- St Thomas More Catholic Primary School (Kidlington)
- Our Lady of Lourdes Catholic Primary School (Witney)
- Our Lady's Catholic Primary School (Cowley)

Copy to:-

- Mr P Concannon [Chair of the Dominic Barberi MAC]
- Mrs L Campbell [HR Officer] at lcam3538@bgn.oxon.sch.uk

Dear Colleagues

TUPE Transfer to The Pope Francis Catholic Multi-Academy Company [PFMAC]

The purpose of this letter is to advise you of the proposal to become part of the Pope Francis Catholic Multi-Academy Company [PFMAC]. The transfer will affect employees of schools within the Dominic Barberi Multi-Academy Company [DBMAC] (the 'Affected Employees') and we are writing to you in the context of your role, representative of some of those employees.

We believe that the Transfer of Undertakings (Protection of Employment) Regulations 2006 ('TUPE') as amended by the Collective Redundancies and Transfer of Undertakings (Protection of Employment) (Amendment) Regulations 2014 will apply to the proposed transfer. As you will be aware, under Regulation 13 we are obliged to provide certain information to appropriate representatives of any employees who may be affected by the proposed transfer, or by measures we envisage taking in connection with it. The purpose of this letter is to provide the information.

Transfer Proposals

- We propose to transfer this school to join the PFMAC
- It is planned that the transfer will be completed on **1st January 2021** and all employees who are employed at this school on this date will transfer to the PFMAC as an employer.
- The reason for this transfer is:-
 - To support the Diocesan vision of academisation for all Catholic schools in Oxfordshire
 - To actively support our Catholic nature and ensure the very best outcomes for all pupils

The proposed transfer will affect all permanent employees, or employees engaged on fixed-term contracts, where the end date extends beyond 1st January 2021, who are currently employed by this school (part of the DBMAC). It is anticipated that their employment will transfer to the PFMAC on their current terms of employment. Their period of continuous employment will be preserved.

The PFMAC has 'Admitted Body Status' to the Local Government Pension Scheme. This means employees' membership of the Local Government Pension Scheme will continue. In respect of members of the Teachers' Pension Scheme, their membership of the scheme will continue automatically.

Continued...

Letter to DBMAC staff - TUPE

Measures

I have been informed that there are no measures (changes) envisaged as part of the transfer to the PFMAC and therefore the meeting will be held to discuss the process which will be undertaken in accordance with the Transfer of Undertakings (Protection of Employment) (Amendment) Regulations 2014.

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Legal, Economic and Social Implications

Whilst we cannot identify any social implications, there are however legal and economic implications of the transfer for the affected employees.

The provisions of the School Teachers' Pay and Conditions Document (STPCD) are protected by statute since 1987. Even though teachers' rights under the STPCD transfer with them to an academy upon a TUPE transfer, those rights become contractual upon the transfer and the statutory protection is lost.

Greenbook Terms and Conditions of employment are also protected and will transfer with support staff, to the new employer.

Although this letter is sent by this school as the current employer it is endorsed by the DBMAC.

You are invited to attend a staff consultation meeting. Due to the current COVID situation and the number of staff and different school sites involved, there will be four staff consultation meetings. These are to be delivered via Microsoft Teams, with the PFMAC and Union Representatives attending remotely, and a link will be sent to Headteachers. This will be forwarded locally, by email, to staff members, so that they may view the meeting remotely. The dates of the meetings are:

- Tuesday 3rd November 2020 at 17:00
- Wednesday 4th November 2020 at 16:00
- Thursday 5th November 2020 at 17:00

The **date and time our school is attending will be:** [\[insert designated date for school\]](#).

The meeting provides an opportunity for the proposals to be explained to you in more detail and allows you to consider any representations that you wish to make on the proposed measures.

An HR Representative from EPM and a Union Representative will attend the meeting, along with representatives from the PFMAC in order to assist and answer any questions relating to the transfer. If you prefer, you may send your queries in confidence to the following designated email address: TUPEMERGER@BGN.OXON.SCH.UK.

If you need any further clarification on the above, please let me know.

Yours sincerely

Headteacher/Principal