
Redundancy Policy

Purpose

To set out the Company's policy on redundancy.

Scope

This policy applies to all employees. This policy does not form part of any employee's contract of employment and may be amended at any time.

- It is the aim of the Company to maintain and enhance the efficiency and financial sustainability of the organisation which will, as far as possible, safeguard the current and future employment of employees.
- However, it is recognised that there may be changes in service or organisational requirements which may affect staffing needs. In such circumstances the Company will seek to minimise the effect of redundancies through the provisions made in this policy.
- The Company is committed to ensuring that this policy does not discriminate directly or indirectly on any grounds as listed in the Diversity and Equal Opportunities Policy.
- Part-time staff and those working under fixed-term contracts, shall under no circumstances be singled out for selection on different criteria to those applied to full-time staff.
- This policy will be reviewed from time to time to ensure that it reflects changing organisational needs.

Application

This section details the process to be undertaken where changes in funding, service or organisational requirements may affect staffing needs.

Preventative measures

Where the need for redundancies has been identified, and in order to avoid these, one or more of the following measures may be considered:

- A salary freeze for a specified period
- Suspending advertising and recruitment
- Retraining and redeployment
- Discontinuing temporary labour
- The likely effects of natural wastage
- Existing workloads and overtime levels
- Job-sharing, part-time employment and/or other flexible arrangements
- Discontinuing the engagement of consultants
- Seeking volunteers for retirement and redundancy

Any such measure will need to ensure that it does not adversely affect service delivery and development; or cause the Company to default on contracts; or fail its obligations to funders; or prevent the Company from recruiting personnel to help avert or prevent the conditions which give rise to the problem.

Compulsory redundancy

When it is not possible to avoid making compulsory redundancies, all affected employees and, where appropriate, recognised Trade Unions and/or employee representatives (see below) will be advised. They will be consulted on the procedure that will then be followed and where appropriate the selection criteria that will be applied.

Selection criteria

When selecting staff for redundancy, we will use objective, transparent and fair criteria to select those employees who are at risk of redundancy. This list of selection criteria below is not exhaustive and is not necessarily in order of priority:

- Loss of contract based work or funding for the post
- Day-to-day job assessment criteria
- Attendance and disciplinary records
- Appraisal/review records
- Relevant experience, qualifications and capability
- Performance in an interview

No employee will be selected for redundancy for any of the following reasons:

- Union-related reasons
- Health and safety-related reasons
- For asserting a statutory right
- Maternity-related reasons
- For carrying out the function of or standing as an employee representative
- On grounds of gender, gender reassignment, race, colour, nationality, religion or belief, marital status, sexual orientation, disability (without sufficient justification on operational grounds) or age.

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Where the Company plans to make 20 or more employees redundant within a period of 90 days or less, a collective consultation process in line with the relevant legislation in force at that time will be followed.

Employees affected are encouraged to contribute to the consultation process with their own ideas for preventative measures or possible alternative employment with the Company.

Those employees who have been provisionally selected for redundancy will be consulted with individually (including where a collective redundancy process is being undertaken provided this is practicable).

Where selection for redundancy is confirmed, employees selected for redundancy will be given notice of termination of employment in accordance with their contracts. Employees will be given the opportunity to appeal against this decision (see below).

Suitable alternative employment

Employees under notice of redundancy shall be informed of all actual and expected vacancies at the Company during the period of their notice.

- For each vacancy available at that time, the Company will determine whether any of the employees declared redundant should be offered an interview for it.
- The employee will be short listed and interviewed prior to other applicants for the post, if proved to be suitable for the role.
- An employee who is successful in applying for an alternative post, shall have their redundancy notice withdrawn, subject to the below.

Trial period

Where an alternative role is offered to an employee, redundancy rights will not be lost if after a trial period of up to four calendar weeks, from the date at which the new job was taken up, that the new job or the employee's performance in that role is not suitable. In such cases, the employee shall be treated as though they are redundant with effect from the date of the expiry of the original notice of redundancy.

Unreasonable refusal of a suitable alternative role will result in the loss of redundancy entitlements.

The trial period may be extended for up to 3 months for the purpose of training for the new post, provided that the trial period and terms and conditions of appointment applying after training are agreed in writing prior to the commencement of the new job.

Appeals

Employees to be made redundant are entitled to appeal against this decision if they feel that the selection criteria have been unfairly applied in their case. Employees who have not been offered suitable alternative employment following an interview process, are also entitled to appeal against the decision.

Employees wishing to appeal are entitled to be accompanied at the appeal hearing by a Trade Union representative or a work colleague of their choice. Appeals must be submitted within five working days of the decision in either of the above being communicated to the employee.

In order to hear any complaints above, the Company will set up an Appeal Panel made up of managers, none of whom should have been previously directly involved with the specific case to be heard. The Panel's decision will be based either on unanimous agreement or majority vote. The Panel shall be called within a reasonable time after the appeal being submitted. The decision of the Panel is final and shall be communicated to the employee without unreasonable delay.

Employee's entitlements

Employees to be made redundant shall be informed as soon as possible, in a private meeting with a senior manager, of their potential redundancy. Employees affected are encouraged to contribute to the consultation process with their own ideas for preventative measures or possible alternative employment with the Company.

Employees will be entitled to receive such statutory redundancy payments as may be applicable calculated in accordance with the relevant legislation. The Company reserves the right to make a payment in lieu of notice.

Payment in respect of outstanding accrued holiday entitlement shall be made if it is not reasonably practicable for such holiday entitlement to be taken during the notice period. Any holiday taken up to the annual allowance but not earned shall not be deducted.

During their notice period employees are entitled to reasonable time off without loss of pay to attend interviews/training.

During the period of notice, and by mutual agreement, the employee may be allowed to leave the Company without loss of entitlement. Agreement by the Company will be considered in each case and will depend on whether the request is made on reasonable grounds. An offer to commence alternative employment by an alternative employer during the notice period, where failure to commence will result in the offer being withdrawn, shall constitute reasonable grounds.

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Monitoring this policy

It is important to note that the Company may vary or amend this policy from time to time particularly to take account of changes in the law, best practice or business requirements. This document shall be revised by the appropriate person, the HR Manager or nominated deputy. You will be notified of any changes.