

LEDBURY TOWN COUNCIL

REDUNDANCY POLICY

Introduction

From time-to-time Ledbury Town Council may require fewer employees to work because of economic, technological or business-related reasons. Regrettably, this could result in some employee redundancies as the organisational design changes in line with business needs and to aid future growth and sustainability.

The constantly changing business environment means that redundancy is occasionally inevitable, but the organisation will do its utmost to find other solutions first and wherever possible, employees will be redeployed. There will be support made available where redeployment is not possible.

The purpose of this policy is to lay out how Ledbury Town Council will manage impending employee redundancies and, if necessary, any decision to implement proposed redundancies. It is Ledbury Town Council's intention to avoid redundancies wherever possible, and if they should be unavoidable to mitigate their effect.

Furthermore, this policy reflects Ledbury Town Council's commitment to full employee consultation and to provide appropriate support to staff should redundancies take place.

This applies to all categories of staff and this policy is in line with all relevant employment legislation and requirements including:

- Equality Act 2010.
- Employment Rights Act 1996.
- Fixed Term Employees (Prevention of Less Favourable Treatment) Regulations 2002; and
- Part-time Workers (Prevention of Less Favourable Treatment) Regulations 2000.

This policy also applies to any situation where fewer employees are required due to a reorganisation of work.

This policy is non-contractual (see Employee Handbook, section *[insert section]*).

Alternatives to redundancy

Before making any compulsory redundancies, Ledbury Town Council will first take all reasonable steps to identify feasible alternatives to meet the needs of the business. These will include:

- restriction of external recruitment
- reduction in overtime
- introduction of possible short-time working or temporary lay-offs.
- introduction of flexible working hours/days
- “ring-fenced” internal recruitment and redeployment to alternative work
- consideration of terminating or restricting the engagement of temporary/agency staff.
- voluntary reduction in remuneration; and
- voluntary redundancy and “bumping” (see Voluntary redundancy below).

Voluntary redundancy

In the event of proposed redundancies Ledbury Town Council will invite all affected staff to apply for voluntary redundancy. Employees who are not directly affected by the redundancy proposal may also apply. The application period will be limited to a specific period of time. Ledbury Town Council may at its absolute discretion accept or reject any voluntary application for redundancy (i.e., the organisation believes the volunteer has skills and experience that need to be retained for the organisation’s future viability) and is under no obligation to discuss its reason(s) with the applicant.

When an application for voluntary redundancy is accepted, the employee will be notified in writing and invited to a meeting with a relevant manager to discuss the next steps and the redundancy payment that is available. Whether any enhanced redundancy payment or other severance entitlements are available will depend on the circumstances of each case.

Redundancy Panel

A Redundancy Panel will oversee the process and this panel will be convened on a need’s basis, with its membership drawn from the Personnel Committee. These members will be different to members that will make up any Appeals Committee to ensure fairness and transparency throughout the whole process.

Consultation and information

Ledbury Town Council will carry out meaningful consultation with relevant unions inclusive of Unite, Unison, GMB, ALCC in respect of proposed redundancies. This will take place in accordance with the following timescales:

Collective consultation

- a minimum of 30 days’ consultation where between 20 and 99 proposed redundancies are to take place at one establishment over a 90-day period, or
- a minimum of 45 days’ consultation where 100 or more proposed redundancies are to take place at one establishment.

Individual employees will also be consulted separately, as appropriate.

Ledbury Town Council is committed to providing full and proper information to trade union/employee representatives during the consultation process. Furthermore, adequate time will be provided for them to consult the employees whom they are representing and to respond to proposals and other information presented to them during the consultation process.

Wherever practicable Ledbury Town Council will endeavour to incorporate the views of trade union/employee representatives into its management of the proposed redundancies.

Information provided will include the:

- reason(s) for the proposed redundancies
- numbers and categories of employees affected, specifying those whom it is proposed to make redundant.
- proposed method of selecting those for redundancy.
- proposed method of carrying out the redundancies.
- time period over which the redundancy dismissals will take place; and
- proposed method of calculating redundancy payments (where non-statutory payments are to be made)
- the number of agency workers working under the supervision and direction of the employer.
- which parts of the organisation the agency workers are engaged in
- the type of work which the agency workers do.

Individual consultation

The organisation will enter into individual consultation with all employees provisionally selected for redundancy who are “at risk”. Each employee will be given information about the proposed method of redundancy selection, including any selection criteria to be used. They will be informed subsequently of the basis for their selection and be invited to make representations to their relevant manager about their redundancy selection before any final decision about who is to be given notice of dismissal is taken.

Every employee who will be dismissed for purposes of redundancy will be invited to an individual meeting with their relevant manager. At this meeting they will be told that they are to be dismissed. They will be informed of the appropriate time scales and redundancy payment that is available. Any other severance payments will be explained to them.

Redundancy selection

The selection criteria to be used in the case of redundancy will change from time to time to reflect the needs of Ledbury Town Council. The criteria to be used will be fair and robust in application.

It will also be subject to consultation with trade union/employee representatives. If compulsory redundancies are required, employees will be involved and consulted on

the selection criteria and be given opportunities to put forward their own views.
Employees will be given the opportunity to discuss the selection criteria drawn up.

Alternative work

Ledbury Town Council will make every reasonable effort to identify and offer suitable alternative work to those employees whom it proposes to make redundant. In the first instance, these employees will be notified of all existing vacancies when they are notified of their selection for redundancy. They will be given the opportunity to discuss these vacancies with the relevant manager(s). Further meetings may be necessary for the employee and relevant manager(s) to explore the individual's suitability. Any offer of suitable alternative work which is accepted by the employee will be subject to a statutory trial period of four weeks.

If the new position is subsequently deemed unsuitable by Ledbury Town Council, the employee's employment will be terminated at the end of the trial period. S/he will receive a statutory redundancy payment based on the date on which their original job became redundant. In these circumstances, should another suitable alternative job be available, the employee will be offered that job and be subject to a further trial period of four weeks.

Should the organisation consider a vacancy to be suitable as an offer of alternative work, but the employee unreasonably refuses that offer, or, having taken up the offer resigns that position before the end of the trial four-week period, the employee will forfeit their right to a statutory redundancy payment.

Any period of four weeks may be extended by Ledbury Town Council because of the need for re-training without affecting the employee's right to a statutory redundancy payment.

Ledbury Town Council reserves the absolute right to make a decision about the employee's termination of employment.

Special consideration will be given to providing suitable alternative work for those on maternity, paternity, adoption or shared parental leave. Those on maternity, paternity, adoption or shared parental leave will be given priority over other employees when offering suitable alternative employment.

The duty of Ledbury Town Council to seek suitable alternative work for redundant employees will continue up to and including the date of the employee's termination of employment.

Ledbury Town Council reserves the right to select the best candidate for any job where there is more than one suitable candidate and may apply appointment selection criteria. During any period of redundancies Ledbury Town Council will "ring-fence" any vacancies as being open only to internal candidates unless there are circumstances where it reasonably believes there are no suitable internal candidates.

Time-off to look for work/undergo training

Any employee under notice of redundancy dismissal who has at least two years' continuous service will be granted reasonable time off to look for alternative work with another employer. This will also include reasonable time off to attend interviews or to undergo training for alternative work. Appropriate time off will be arranged with the employee's line manager.

Support for redundant employees

The organisation will make every reasonable attempt to support any employee who is made redundant. Depending on resources available at the relevant time outsourced support may be arranged. Requests from employees for financial support with training/educational costs will also be considered.

Statutory redundancy payments

Those employees with two or more years' continuous service with Ledbury Town Council will be entitled to receive a statutory redundancy payment. This will be calculated according to their age, length of service and final gross weekly pay subject to the statutory maximum (based on the maximum rate of a week's pay at the time of the redundancy dismissal).

Notice and termination of employment

Ledbury Town Council may decide to waive its right for the redundant employee to work his or her contractual notice.

If this situation is brought about by Ledbury Town Council, a payment in-lieu of notice (PILON) will be made.

If this situation is brought about by the employee, Ledbury Town Council will consider whether it is prepared to agree to a shorter notice period. The employee may serve statutory counter notice. It is normal practice for Ledbury Town Council to accept such notice, unless there are exceptional circumstances.

Date adopted by the Council

Date for Review