

LINKS: THE CHESTERFIELD & NORTH EAST DERBYSHIRE COUNCIL FOR VOLUNTARY SERVICE & ACTION LIMITED

REDUNDANCY POLICY

Links will take all reasonable measures to protect the employment and job security of its staff but from time to time difficulties in securing funding or reorganisation may mean that Links has to make changes in its staffing.

1. Consultation

Where redundancies are being considered, Links will consult with all relevant individuals at the earliest opportunity including any recognised trade union or workers' representatives. Initial consultation may involve team briefings or individual meetings to encourage staff to bring ideas forward on how Links could avoid redundancies.

Steps to minimise or avoid compulsory redundancies will be taken including:

- cutting back other expenditure where possible
- use of reserves
- recruitment freeze
- short time working or temporary lay off
- retraining and redeployment
- reorganisation
- consideration of any offers of voluntary redundancy.

Links will consult with appropriate trade unions, or appropriate trade unions or employee representatives as soon as practicable and as fully as possible. Links will consult at an early enough stage to allow discussion as to whether the proposed redundancies are necessary at all. In order to assist employees in making relevant suggestions, Links will make available the following information:

- the reason for the proposals
- the number of posts potentially at risk
- the proposed criteria on which selection will be made if applicable
- the proposed method of carrying out any action relating to employee changes
- details of redundancy pay which shall be based on statutory entitlement

If, after considering all other possibilities, it seems likely that redundancies may be necessary, Links will inform potentially affected employees that no other viable options have been presented therefore redundancies may be implemented.

2. Identification of posts at risk and selection procedure

Links' primary concern is to protect its service. Consideration will be given to ensuring that the necessary staff skills are retained to meet the company's business needs.

A panel made up of two Officers of the Board and the Chief Executive or, if the Chief Executive's post may be at risk, the three Officers of the Board will identify the posts at risk and the selection criteria to be used based on and backed by accurate objective evidence about:

- Ability to carry out Links remaining work
- Skills
- Performance
- Disciplinary record
- Health and sickness

Unless all employees are to be dismissed, Links will ensure that the pool from which employees may be selected for redundancy is fairly defined. We will take into account employees doing the same or similar work and whether tasks are interchangeable. Pools should be appropriate to the posts at risk at the time but might include

- Pool A – advisers who work directly with a range of groups
- Pool B – management, admin and ICT support
- Pool C – strategic and development workers

If a grant or contract for a piece of work ends with no further funding, it is not the case of making those employees the pool for redundancy. If other staff are doing the same or similar work, even in other teams or other parts of the organisation, those other staff may need to be included in the pool of employees to be considered for redundancy.

A scoring system shall be devised rating each criterion 0-5 with 5 being the highest. The panel shall interview employees at risk individually and each member of the panel shall score each employee separately then the scores shall be aggregated. The employees with the lowest scores in the appropriate pool shall be considered for redundancy.

3. Appeal procedure

Links will disclose details of an employee's score to that employee personally and allow the employee to contest the selection but employees are not entitled to see the scores for other employees. Links will give information to show that the method of selection was fair in general terms and that the method was reasonably applied to the employee concerned.

An employee who continues to feel aggrieved may put their case to an appeal panel of three Links Board members who have not taken part in the original panel.

4. Period of notice

An employee who is being made redundant is entitled to statutory or contractual notice whichever is higher in the usual way. Individual notice must be given to each employee so a general closure notice is not adequate. An employee who is required to stop work before the end of the notice period – for example, if the employer closes – is entitled to pay in lieu of notice for that period.

5. Right to time off

An employee who has been given notice of dismissal due to redundancy and has the necessary qualifying period for redundancy pay is entitled to reasonable time off with pay during working hours to look for another job or to make arrangements for training for future employment.

6. Suitable alternative employment

Links will offer suitable alternative work if any is available. If suitable work is offered and the employee accepts it, there is no redundancy and no break in continuity of employment if the new contract starts as soon as the old contract ends or within four weeks of termination. If suitable work is offered and the employee unreasonably refuses it, they lose the right to a statutory redundancy payment.

If alternative work is available, it must be offered to an employee at risk of redundancy even if they are not the best person for it. A competitive process is permissible only if two or more employees are being made redundant for whom the available work would be suitable, but there are not enough posts for both or all of them. Only employees at risk of redundancy are entitled to apply.

The employee has a statutory right to a trial period of four weeks from the start of the new contract. This can be extended by agreement if additional time is needed for retraining. An employee who resigns or is dismissed for a reason connected to the new employment during the trial period is treated as having been made redundant under the previous contract.

7. Redundancy payment

Links pays statutory redundancy pay to workers who qualify by having two years of continuous employment. This includes workers on so-called fixed-term contracts although all Links employees have open-ended contracts.

Statutory redundancy pay is calculated based on the Business Links website which contains a ready reckoned for working out entitlement.

There is no income tax or national insurance on statutory redundancy pay.

Policy approved by Links Board on: 13/07/10

Policy to be reviewed no later than: July 2015