



## **Redundancy Policy and Procedure**

### **1 What is Redundancy?**

Redundancy is defined in s 139(1) of the Employment Rights Act. The legislation outlines circumstances in which a genuine need to make an employee redundancy exists if:

- a) The employer has ceased or intends to cease to carry on the business for the purposes of which the employee is employed, or to carry on that business in the place where the employee is employed, or
- b) The requirements of that business for employees to carry out work of a particular kind, or for employees to carry out work of a particular kind in the place where the employee was employed by the employer, have ceased or diminished or are expected to cease or diminish.

### **2 Avoiding Redundancies'**

Before making redundancies Stirchley and Brookside Parish Council will consider if there are any alternatives to making compulsory redundancies; this may include:

1. Lay off or short time working
2. Seeking applications for flexible working
3. Reducing paid overtime
4. Freezing recruitment
5. Retraining
6. Seeking applications for voluntary redundancy and/or early retirement.

### **3 Consultation**

As soon as the Council, having sought other options, has decided that a redundancy situation exists it will make all affected staff aware that their role may be at risk of being redundant and that a formal consultation process will be undertaken.

#### **3.1 Stage one**

There will be a formal consultation meeting with each affected employee. The employee may bring a representative to the meeting if they wish. The purpose of this meeting is to:

- issue the formal 'at risk letter'
- discuss the background to the Council's decision
- seek the employees views on the proposal
- discuss ideas for alternative options
- advise the employee on the support available to them

The employee will be advised of the date of a second consultation, if applicable, and the closing date of the consultation process.

This meeting will be documented and a copy of the notes made at the meeting given to the employee.

The Personnel Sub Committee will meet to discuss the outcomes of the stage one consultation and agree the next stage of the consultation process.

### **3.2 Stage two**

A second formal meeting may be held to:

- update the employee on the progress of the redundancy process
- respond to any suggestions / concerns raised by the employee
- discuss ideas for alternative employment options.

## **4 Redundancy Process**

If, following the consultation process, there is still a need for compulsory redundancy the following process will be followed.

### **4.1 Selection**

Roles which are 'standalone' will be dealt with first as there is no need for a selection process. Where there is a need for selection the Personnel Sub Committee will, in consultation with employees, agree a selection criteria. Employees may be asked to reapply for their posts to decide who to select.

### **4.2 Individual Consultation**

Individual meetings will be held with each employee to give them feedback on the selection process and to discuss their options.

### **4.3 Redundancy and Dismissal and payment**

Should there be no suitable alternative role or any alternative to dismissal then the lowest scoring employee, if relevant, will be made compulsorily redundant.

The redundancy will be confirmed in writing to the employee, who has the right of appeal against the decision and will include:

- Amount of notice
- Amount of redundancy payment
- Amount of any other benefits to which the employee is entitled

## **5 Appeal**

An employee who is the subject of compulsory redundancy will be notified of the right of appeal. Their written notice of appeal must be received by the Council within 5 working days of the employee receiving written notice of redundancy.

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