

Redundancy and Redeployment Policy and Procedure

1 Introduction

- 1.1 North Halifax Partnership (NHP) is committed to the principle of maintaining the highest level of job security for all its employees and will endeavour to avoid making compulsory redundancies wherever possible. However, changes in policy and funding levels, the loss of a major contract or a change in how services are delivered may result in the need for the workforce to be reduced. Though less likely, changes in competitive conditions, organisational and technical developments may also lead to workforce changes.
- 1.2 This policy outlines how the process of staff redundancies will be communicated and managed.
- 1.3 Whilst alternative employment will be considered, NHP recognises that it may not always be possible to redeploy displaced employees.
- 1.4 In the event of a redundancy situation this policy will provide a uniform and fair method of selection for redundancy, which would come into effect when other procedures to avoid compulsory redundancy have been exhausted.

2 Procedure for Avoiding Compulsory Redundancy

Definitions :-

Sections – NHP employs staff linked to specific funding or income regimes i.e Children Centre Service contract; Ovenden and Mixenden Initiative neighbourhood engagement, and from time to time individual projects. It is likely that a change in funding or income will directly impact on a particular staff group rather than the organisation as a whole and therefore it may be necessary to identify the Section, being individual posts or a group of posts that may be affected.

Manager – A Manager is defined as the senior manager responsible for leading the redundancy process, and will be responsible for leading communications, distributing relevant information and circulating or advising employees of redeployment opportunities.

- 2.1 **Declaring a potential redundancy situation** – To trigger the procedure for avoiding compulsory redundancy it is necessary firstly to declare that a

potential redundancy situation exists. This will normally be decided by the Board and the declaration will identify the Section or posts that may be affected. At this stage it may not be possible to identify specific posts affected, but rather that a potential redundancy situation exists across a Section involving a variety of posts.

2.2 **Measures to avoid or minimise redundancy** – In order to avoid compulsory redundancies, the following measures will wherever practicable be implemented:-

- A restriction or freeze on recruitment
- Agree flexible working requests
- The termination, where practical of temporary employees
- The identification of non-essential spend
- Limit or stop overtime or the use of sessional staff
- Review temporary contracts and end or not extend these
- Offer voluntary redundancy

2.3 These actions may be taken across the organisation or within the Section that is directly affected by the need to reduce the workforce.

2.4 **Consultation** – It is essential that employees are consulted about a potential redundancy situation, in line with legal requirements in place at the time. It is also helpful to notify trade union colleagues of a redundancy situation in the consultation stage, so they can support employees. Therefore, as soon as is practicable the Manager will be responsible for advising the Section or individuals of the declaration of a potential redundancy situation. This will normally be undertaken at a meeting followed up in writing. This consultation will disclose the following:-

- The reason why a potential redundancy situation exists and where possible the timescale leading up to and implementing redundancies
- The section or posts that may be affected
- The procedure that will be followed in an effort to avoid compulsory redundancy
- In the event of compulsory redundancy, the proposed method of selecting the employees who may be made redundant
- The proposed method of calculating redundancy pay payment
- Where appropriate it is also helpful to communicate what measures have been taken to avoid a compulsory redundancy situation

- 2.5 The Manager will be responsible for ensuring that the Section is kept up to date on developments as they may occur, recognising that certain discussions with individuals affected may need to be on a confidential basis.
- 2.6 NHP will also enter into individual consultation with employees provisionally selected for redundancy. Each employee will have the right to be informed of the basis for their selection and be invited to put forward any representations, which will be fully considered before making a final decision on which employees are to be made redundant.
- 2.7 NHP are required to consult with employees who are on family leave (e.g. maternity, adoption or shared parental leave). See section 6 regarding the statutory protections in place for those employees on a period of family leave.
- 2.8 **Voluntary redundancy**
- 2.8.1 Where appropriate NHP will consider applications for voluntary redundancy, however, it reserves the right to determine who would be permitted to go, taking into account current and future operational requirements.
- 2.8.2 There is no contractual enhanced redundancy payment for voluntary redundancy, however NHP reserves the right to offer any enhancements that are deemed appropriate to reduce the need for compulsory redundancies. Any enhancements will not set a precedent and will be communicated during the consultation stage.
- 2.9 **Redeployment**
- 2.9.1 Where practicable and recognising the size of the organisation, NHP will always aim to ensure that skills, experience and knowledge can be retained, wherever possible. Therefore, when a potential redundancy situation has been declared, all suitable vacancies within NHP will be considered for internal redeployment.
- 2.9.2 Where an employee is selected for redundancy, the Manager will actively seek to identify any suitable alternative roles for the employee up to the point of termination.
- 2.9.3 When looking for alternatives the following will be undertaken:
- 2.9.3.1 The Manager, on reviewing the vacancy list will advise the individual, in consultation discussions, that a suitable

alternative vacancy exists, and the intention is to redeploy them to that vacancy. (The employee will be 'slotted' into the same or similar role within the organisation).

2.9.3.2 Where a number of vacancies exist, these will be offered to the individuals at risk in the first instance, and a vacancy list will be shared to this group. As an alternative, posts will be advertised as internal vacancies and those staff at risk of redundancy will be guaranteed an interview, if they meet the essential requirements of the post. NHP will interview potential candidates for these vacancies. (The employee will apply for an alternative role).

2.9.3.3 The Manager, taking into consideration the employee's skills, role, location and salary grade will, in consultation discussions, make the employee aware that they believe a suitable alternative vacancy exists, and they will be formally offered this post as suitable alternative to redundancy. (The employee will be redeployed into a vacancy the organisation believes is a suitable alternative role).

2.9.4 Where there is a role that is considered a suitable alternative to redundancy this will be offered to the individual at risk and will be confirmed in writing outlining the new job role and the salary information of the new post. The details of the trial period and pay protection (if any) will also be confirmed.

2.10 **Trial periods and pay protection**

2.10.1 If a potentially redundant employee is redeployed to a post, which is considered a suitable alternative, this will be offered on a trial basis for 4 weeks.

2.10.2 During the trial period the employee will be supported in adjusting to the new role, including training as appropriate. Also during this time, if the new post is at a lower salary level, the employee will continue to be paid on the salary scale of their substantive post, attracting any increments or annual pay award as may apply to that post.

2.10.3 At the end of the trial period the Manager of the Section will confirm that the appointment can be made permanent. If the employee is

deemed suitable for and accepts permanent redeployment the pay scale and other terms and conditions of the new post will apply. If the employee is not deemed suitable, or if the employee does not wish to accept a permanent appointment, either party must give notice within the trial period and the employee will be returned to a potential redundancy situation from their substantive post.

2.10.4 The trial period can be extended, up to 8 weeks, if agreed by both parties.

2.10.5 Employees should be aware they may lose their right to statutory redundancy pay if they unreasonably turn down suitable alternative employment.

3 Selection Criteria for Compulsory Redundancy

3.1 Where the measures outlined in section 2 above fail to provide reductions in the workforce required, it will be necessary to go ahead with a compulsory redundancy process.

3.2 Where more than one post is at risk of redundancy a selection criteria will be required. The selection criteria will need to take account of the need to maintain a balanced workforce which has the appropriate skills, experience and knowledge to ensure the continued success of the organisation.

3.3 The selection criteria will be chosen after taking into consideration the specific needs of NHP at the time. This may include a paper-based redundancy selection matrix or an interview process.

3.4 The selection criteria must ensure that employees are not discriminated against and are treated fairly in line with NHP's Equality and Diversity policy and the Equality Act.

3.5 The proposed selection criteria will be shared in the consultation stage and employees will have the opportunity to contribute to the criteria proposed. NHP will confirm the criteria that will be applied to those individuals at risk of redundancy.

3.6 After applying the criteria, the employee will be invited to a formal meeting to inform them they have been selected for redundancy. The employee will have the right to be accompanied by a work colleague or trade union representative at this meeting. Attendance at this meeting is not compulsory and the employee can decline to attend this meeting. In all cases arrangements for the termination of their employment, along with

entitlement to redundancy pay and contractual notice period will be confirmed in writing.

- 3.7 Employees will have a right of appeal to dismissal to the Personnel Sub Committee. An appeal should be submitted within 10 days of receipt of the dismissal letter.

4 Redundancy Pay

- 4.1 Employees who have at least two years' service will receive redundancy pay. Redundancy pay will be based on statutory redundancy pay arrangements in place at the time.

5 Time off to look for new employment and employee support

- 5.1 Employees who are under notice of redundancy and have been continuously employed for at least two years, qualify for a statutory entitlement to a reasonable amount of time off to look for another job or to arrange training.
- 5.2 NHP will accommodate up to **three** additional paid days leave for employees who have been given formal notice of their redundancy (pro rata for part time employees). Leave should be requested in line with the usual procedures. Managers can apply discretion and agree more time, if required.
- 5.3 NHP has in place an employee assistance programme, which will be available to employees at risk of redundancy.
- 5.4 Internal support for completing applications forms, coaching for interviews and other advice is available from line managers. Signposting to external services who can provide appropriate advice will also be provided.

6 Employees on family leave

- 6.1 NHP recognises the statutory rights of those employees who are on maternity, adoption, shared parental or other statutory parental leave during redundancy processes. This includes the responsibility to give priority to these individuals over other employees, in the search for suitable alternative vacancies.
- 6.2 From 6th April 2024 the redundancy protections described above will be extended so that protections apply to pregnant women, as well as new parents returning to work from a period of family leave.
- 6.3 For pregnant employees the protections will cover an expanded period from when you notify us of your pregnancy until 18 months after the birth.

The 18-month window will ensure that an employee returning from a year of maternity leave can receive six months' additional redundancy protection.

- 6.4 For those returning from adoption or shared parental leave the protected period will last for 18-months, beginning with the day the child was placed for adoption. This is essentially an additional six month period.
- 6.5 If you're taking shared parental leave but haven't taken maternity or adoption leave before, you need to take at least six weeks of continuous leave for certain rules to apply after your shared parental leave ends. If you don't meet this six-week requirement, the rules apply while you're on shared parental leave.