



We will always try to avoid the need for compulsory redundancies but sometimes these may be necessary. The pattern or volume of our business or methods of working may change and requirements for employees may reduce.

The purpose of this policy is to ensure that, whenever redundancies may become necessary:

- we communicate clearly with all affected employees and ensure that they are treated fairly;
- we try to find ways of avoiding compulsory redundancies;
- we consult with employees and with recognised trade unions and employee representatives; and
- any selection for compulsory redundancy is undertaken fairly, reasonably and without discrimination.

Staff have been consulted on this draft Policy during its preparation.

This policy does not form part of any contract of employment or other contract to provide services, and we may amend it at any time ***with staff consultation.***

Who does this policy apply to?

This policy applies to employees only. It does not apply to agency workers, consultants, self-employed contractors, volunteers or interns.

Who is responsible for this policy?

The ***Council and/or HR Committee*** has overall responsibility for the effective operation of this policy. The ***Council and/or HR Committee*** has delegated responsibility for overseeing its implementation to ***the Town Clerk & RFO***. Suggestions for changes to this policy should be reported to [the Head of the HR Department ***OR*** [POSITION]].

Any questions you may have about the day-to-day application of this policy should be referred to ***the Town Clerk & RFO*** in the first instance.

This policy is reviewed ***periodically by the Town Clerk & RFO following consultation with staff.***

Avoiding compulsory redundancies

Where we are proposing to make redundancies we will enter into consultation with all affected employees on an individual basis and, where appropriate, also with recognised trade unions and employee representatives.



In the first instance we will consider steps that might, depending on the circumstances, be taken to avoid the need for compulsory redundancies. Examples of such steps include:

- Reviewing the use of agency staff, self-employed contractors and consultants.
- Restricting recruitment in affected categories of employee and in those areas into which affected employees might be redeployed.
- Reducing overtime to that needed to meet contractual commitments or provide essential services.
- Freezing salaries for a specified period.
- Considering the introduction of short-time working, job-sharing or other flexible working arrangements, where these are practicable.
- Identifying suitable alternative work [with us or with any other companies within the Group] that might be offered to potentially redundant employees.
- Inviting applications for early retirement or voluntary redundancy. In all cases the acceptance of a volunteer for redundancy will be a matter of our discretion and we reserve the right not to offer voluntary redundancy terms or to refuse an application where it is not in the interests of our business to do so.

Any measures adopted must not adversely affect our business and our ability to serve our customers.

Making compulsory redundancies

When it is not possible to avoid making compulsory redundancies, we will advise all affected employees and, where appropriate, recognised trade unions and employee representatives that compulsory redundancies cannot be avoided. We will consult **staff** on the procedure that will then be followed and the criteria that will be applied.

In carrying out any redundancy exercise we will not discriminate directly or indirectly on grounds of sex, sexual orientation, marital or civil partnership status, pregnancy or maternity, gender reassignment, race, colour, nationality, ethnic or national origin, religion or belief, disability or age. Part-time employees and those working under fixed-term contracts will not be treated differently to permanent, full-time comparators.

The criteria used to select those employees who will potentially be made redundant will be objective, transparent, fair and based on the skills required to meet our existing and anticipated business needs.

We will then consult individually with those employees who have been provisionally selected for redundancy.



Where selection for redundancy is confirmed, employees selected for redundancy will be given notice of termination of employment in accordance with their contracts and written confirmation of the payments that they will receive. ***Employees will be given the opportunity to appeal against this decision by reference to Members of the HR Committee.***

We will continue to look for alternative employment for redundant employees [and inform them of any vacancies that we have] until their termination dates. The manner in which redundant employees will be invited to apply for and be interviewed for vacancies will be organised depending on the circumstances existing at the time. Alternative employment may be offered subject to a trial period where appropriate.

The following employees shall be offered a suitable alternative vacancy that is appropriate to their skills, if one is available:

Employees who have notified us of their pregnancy, are on maternity leave or have returned to work from maternity leave and are within an additional protected period of 18 months from the first day of the Expected Week of Childbirth or actual date of birth (where notified to us). If an employee is not entitled to maternity leave, the protected period of pregnancy applies from when we are notified of the pregnancy until two weeks after the end of the pregnancy.

Employees who are on adoption leave or have returned to work from adoption leave and are within an additional protected period of 18 months from the date the child is placed with them for adoption (or the date the child entered Great Britain if adopting from overseas).

Employees who are on shared parental leave or have returned to work from a period of at least six consecutive weeks of shared parental leave and are within an additional protected period of 18 months from the child's date of birth or the date the child is placed with the employee for adoption (or the date the child entered Great Britain if adopting from overseas).

Employees who are on neonatal care leave or have returned to work from a period of at least six consecutive weeks of neonatal care leave and are within an additional protected period of 18 months from the child's date of birth or the date the child is placed with the employee for adoption (or the date the child entered Great Britain if adopting from overseas).

Employees who are on bereaved partner's paternity leave or have returned to work from a period of at least six consecutive weeks of bereaved partner's paternity



leave and are within an additional protected period of 18 months from the child's date of birth or the date the child was placed with the employee for adoption (or the date the child entered Great Britain if adopting from overseas).

Where we are unable to offer alternative employment we will assist employees to look for work with other employers. Eligible employees under notice of redundancy will be entitled to take a reasonable amount of paid time off work to look for alternative employment or to arrange training for future employment

Enhanced Redundancy Pay

Where an employee is dismissed by reason of redundancy and has at least two years' continuous service, the Council will pay statutory redundancy pay as a minimum in accordance with the Employment Rights Act 1996.

In addition, the Council may, at its absolute discretion and subject to formal approval and affordability, enhance redundancy pay by calculating the employee's "a week's pay" by reference to the employee's actual normal weekly pay at the date of termination, rather than applying the statutory weekly pay cap that applies to statutory redundancy pay.

For the avoidance of doubt, any such enhancement is non-contractual, does not create a precedent, and may be withdrawn or varied by the Council at any time. The Council will confirm in writing at the point of dismissal whether an enhancement applies and how any redundancy payment has been calculated.

The Council will not pay less than the statutory minimum entitlement, and redundancy payments will be subject to the usual statutory deductions and tax treatment.