

# **Redundancy policy**

## **1. Overview**

1.1 This policy sets out how we want to treat employees should we need to reduce the number of people we employ. We will avoid making anyone redundant wherever reasonably possible, but it may sometimes be needed to address changing business needs and we have to consider our customers' and our own interests as well as those of our employees.

1.2 This policy does not form part of your contract of employment, and we reserve the right to amend this policy at any time.

1.3 This policy applies to all employees. It does not apply to self-employed contractors, consultants or to agency workers.

## **2. How we avoid redundancies**

2.1 We will consider taking other action to avoid redundancies and will minimise them wherever possible. The following list gives examples of some alternative approaches we may consider (taking account of business needs):

- cutting back on overtime;
- freezing salaries and delaying pay rises;
- re-deploying and/or retraining some employees;
- finding suitable alternative work to offer some employees;
- inviting applications for voluntary redundancy;
- exploring job shares, short-time working and other types of flexible working
- limiting new recruitment; and/or
- looking at how we use consultants, self-employed contractors and agency staff.

## **3. How we make redundancies**

3.1 The Institute will always comply with any legal obligations to consult with employee representatives, depending on the number of redundancies we propose making.

3.2 If we invite applications for voluntary redundancy, we reserve the right not to accept a volunteer for business reasons.

3.3 If we cannot avoid making redundancies using the measures above, we will need to consider compulsory redundancies.

3.4 We will invite all those at risk to a meeting to explain our proposals. We may also write to you individually with the full details. You and your colleagues will be invited to make comments on the proposals and put forward alternative solutions to achieve the objectives required (for instance, reducing expenditure or increasing efficiency).

3.5 We will be fair, objective and transparent with the criteria we use to identify employees at risk of redundancy. Our main aim will be to make sure we retain the types of skills necessary to meet current and future business objectives.

3.6 We will never discriminate on the grounds of sex, maternity, pregnancy, race, colour, nationality, ethnic or national origin, religion or belief, gender reassignment, sexual orientation, age, disability, marital or civil partnership status at any stage in the redundancy process.

3.7 Those whose jobs are selected for possible redundancy will be allocated to a group known as the 'pool'.

Sometimes a unique job is identified as no longer needed, and the employee concerned will be allocated to the pool. Sometimes it is necessary to reduce the number of employees doing identical or similar jobs, so all or some of those employees will be allocated to the pool.

Within a group of identical or similar jobs identified for possible redundancy, the criteria we use to select employees for the pool will depend on the specific circumstances, but are likely to include some or all of the following considerations:

- experience and skills;
- levels of performance, where this can be measured objectively;
- disciplinary record;
- attendance record;
- willingness to adapt;
- length of service.

Employees involved, whether selected for inclusion in the pool or not, can give their feedback on the selection criteria we intend to use, and we will respond to that.

#### **4. How we work with you if you are selected**

4.1 If you are provisionally selected after we have applied the criteria to the pool, you will be notified in writing that you are now at risk of redundancy.

4.2 Our next step is to invite you to a meeting to consider any suggestions you may have for avoiding redundancy. You can use this consultation process to tell us if you think you have been wrongly or unfairly selected and why, suggest how we could redeploy you, and put forward any other ideas you have. If we agree with you, your name will be removed from the redundancy pool. If we disagree with you, we will usually summarise our reasons in a letter.

4.3 Should we then proceed with selecting your job for redundancy, you will be given notice that your employment is being ended as per your contract. We will also give you details of your redundancy pay — if you are entitled to it — and any other payments due to you.

4.4 After you have been given notice of dismissal, we will give you reasonable time off during working hours to look for a new job and/or enroll for training relevant to your future employment. We will pay you for a proportion of this time off as per our legal obligations.

#### **5. Finding suitable alternative employment**

5.1 We will explore whether we have any suitable alternative work for you before or during your notice period. However, you must also let us know if there are any specific roles you want us to consider, as we may not be aware that you are interested in them.

5.2 Any offers of alternative work will always be driven by the needs of the business, and whether or not you can apply for an internal vacancy will depend on all the circumstances. We will let you know the procedure you will need to follow, if we think you are eligible.

5.3 If you are offered suitable alternative employment with the Institute, you are entitled to a four-week trial period, during which you can decline the alternative role without losing your redundancy payment if it turns out to be unsuitable. If we decide the alternative role is not suitable for you during that four-week trial period, you will also still get your redundancy payment.

5.4 You may lose your entitlement to redundancy pay if you refuse to accept suitable alternative work offered by the Institute.

## **6. Your right to appeal**

6.1 You have the right to appeal against any decision to make you redundant. To do this, you need to respond within a week of being told you have been selected for redundancy, by writing directly to whoever is named in the letter you received. In your response to that letter, you must explain exactly why you are appealing.

6.2 Wherever possible, the appeal hearing meeting will not be led by the manager who took the decision to make you redundant. We will send you our final decision in a letter and will try to do this within two weeks of the appeal hearing. You do not have any further right to appeal against the decision to make you redundant.

The Birmingham and Midland Institute  
February 2019