

# **Redundancy Policy**

**Compass Disability Services**  
Units 11 – 12 Belvedere Trading Estate  
Taunton, TA1 1BH

July 2015  
Review Date: July 2020

## **Introduction**

It is the aim of Compass Disability Services to maintain and enhance the efficiency and financial sustainability of the organisation which will, as far as possible, safeguard the current and future employment of the organisation's employees.

However, Compass Disability Services is substantially grant and local authority contract funded and funding may not be guaranteed. It is also recognised that there may be changes in service or organisational requirements that may affect staffing needs. In such circumstances Compass Disability Services will seek to minimise the effect of redundancies through the provisions made in this policy.

Compass Disability Services is committed to ensuring that this policy does not discriminate directly or indirectly on grounds of race, colour, ethnic or national origin, religion or belief, gender, sexual orientation, marital status, disability, age or trade union membership and activity.

Part-time staff and those working under fixed-term contracts shall under no circumstances be singled out for selection on different criteria to those applied to full-time staff.

## **Preventative Measures**

Where the possible need for redundancies has been identified, and in order to avoid these, consideration will be given to one or more of the following measures:

- Salary freeze for a specified period.
- Suspending advertising and recruitment.
- Discontinuing temporary labour.
- The likely effects of natural wastage.
- Existing workloads and overtime levels.

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- Redeployment, job-sharing, voluntary reduction in contracted hours, part-time employment and/or other flexible arrangements
- Discontinuing the engagement of consultants.

Any such measure will need to ensure that it does not adversely affect service delivery and development; or cause Compass Disability Services to default on contracts; or fail its obligations to funders.

## **Consultation**

Compass Disability Services is committed to a consultation process that complies with all statutory obligations. The consultation process will include ways of avoiding the dismissals, reducing the number of employees to be dismissed, and mitigating the effects of dismissals. Consultation with all affected employees or appropriate representatives will be undertaken with a view to reaching agreement on these issues. This applies even when the employees to be made redundant are volunteers.

## **Voluntary Redundancy**

Where redundancy has been found to be unavoidable and where there are more roles at risk of redundancy than the number of roles that will be made redundant the organisation will, in the first instance, seek voluntary redundancies. The category of employees will be made known and volunteers will be sought at least 15 days before any compulsory notices are issued. The package for voluntary redundancy will be agreed and communicated by the Board and will be at least the statutory provision plus 10%. Where the employee has no statutory provision a voluntary redundancy package that would be commensurate to that offered to those with statutory provision will be agreed with individual employees showing an interest in voluntary redundancy.

## **Compulsory Redundancy**

### **Selection criteria**

When selecting staff for redundancy, the following objective criteria will be taken into account. This list is not exhaustive but is generally in the order of priority. The order may be changed if agreed during the consultation process.

- Loss of contract work or funding related to a specific post or department
- Attendance and disciplinary records.
- Appraisal and Supervision records.
- Relevant experience, qualifications, capability and adaptability.
- Further social criteria relevant to affected employees such as poor employment prospects due to disability, age, etc.

No employee will be selected for redundancy for any of the following reasons:

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- Union-related reasons.
- Health and safety-related reasons.
- For asserting a statutory right.
- Maternity-related reasons.
- For carrying out the function of or standing as an employee representative.
- On grounds of sex, race, religion or belief, sexual orientation, marital status, age or disability.

### **Informing relevant employees**

Staff members to be made redundant shall be informed as soon as possible, in a private meeting with the Chief Executive Officer and their Line Manager, of their potential redundancy and will be entitled to at least 30 day's notice before it takes affect. This notice period will increase by one additional week's notice for 5 or more years of continuous service, up to a maximum of 12 weeks (84 calendar days) notice.

### **Time off to seek employment or training**

During their notice period staff are entitled to a maximum of 37 working hours (pro rata) without loss of pay to attend interviews or training.

During the period of notice, and by mutual agreement, the employee may be allowed to terminate their employment without loss of entitlement. Request should be made in writing to the Chief Executive Officer. Each request will be considered, agreement will depend on whether the request is made on reasonable grounds. An offer to commence alternative employment by an alternative employer during the notice period, where failure to commence will result in the offer being withdrawn, shall constitute reasonable grounds.

### **Suitable Alternative Employment**

Employees under notice of redundancy will be informed of all actual and expected vacancies during the period of their notice.

For each vacancy available at that time, Compass Disability Services will determine whether any of the employees declared redundant should be assimilated into the vacant post, or offered a redeployment interview for it. Records of this marking process will be kept for 6 months.

**Assimilation** will occur when a vacancy is very similar to a job to be made redundant. Where only one employee has met the criteria for assimilation that employee will be slotted into the vacant post. Where more than one employee is eligible for assimilation to a particular post, then the employees will each be invited to an interview. In such cases this is no longer assimilation but

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redeployment and each will be invited to interview.

**Redeployment** - Where the vacancy is not so similar as to justify assimilation, or more than one employee is concerned, the employee will be invited to a **redeployment** interview. The employee may have a union representative or a work colleague of their choice present at the interview in an advisory capacity.

The purpose of the interview is to:

- Establish whether, with a reasonable amount of training if necessary, the employee is able to undertake satisfactorily the tasks detailed in the job description for the alternative post.
- Establish whether the employee considers the post to be a suitable alternative and is willing to accept it.

Where two members of staff are equally successful in applying for the same post, the post can be offered to both as a job-share if appropriate and an additional alternative post cannot be found.

A member of staff who is successful in being assimilated or redeployed shall have her/his redundancy notice withdrawn.

Redundancy rights will not be lost if the staff member or the organisation decides after a trial period of 4 calendar weeks, from the date at which the new job was taken up, that the new job or the staff member's performance in that post is not suitable. In such case either party may terminate or give notice and on termination the staff member shall be treated as though s/he has been made redundant on the date the old job ended. The trial period can be extended for up to 3 months for the purpose of training for the new post. The length of trial period and terms and conditions of appointment applying after training will be agreed in writing prior to the commencement of the new job.

## **Training Agreements**

Redundancy would negate any training agreement and the member of staff would not be expected to reimburse the organisation for failure to complete agreed training or for leaving their employment within the penalty phase. The staff member could continue to attend any training already paid for but no future funding would be forthcoming unless contractually bound with the training provider.

## **Appeals**

Staff to be made redundant are entitled to appeal against this decision if

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- They feel that the selection criteria have been unfairly applied in their case.
- They have not been offered suitable alternative employment following the interview process outlined above.

Appeals must be submitted in writing within ten working days of the decision being communicated to the employee. Staff wishing to appeal are entitled to be accompanied at the appeal hearing by a trade union representative or a work colleague of their choice.

In order to hear the appeal, Compass Disability Services will set up an Appeal Panel made up of the Chair of the Board of Trustee, one senior team member and one staff member, none of whom will have been previously involved with the specific case to be heard. The Panel's decision will be based either on unanimous agreement or majority vote. The Panel shall be called within ten working days of the appeal being submitted. The decision of the Panel is final and shall be communicated to the employee within five working days of the Appeal Hearing.

## **Policy Revisions**

This policy will be reviewed every five years and amended as necessary, or earlier in accordance with any forthcoming legislation. All employees should pass suggestions or recommendations for the revision of any aspect of the policy through normal channels to the Chief Executive Officer.

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