

Draft Redundancy

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Executive Summary

The purpose of this policy is to provide information about how redundancies will be handled within the Service for all employees on Green and Red Book Conditions of Service.

This policy provides enhanced redundancy provisions to all employees on Green and Red Book Conditions of Service. Redundancy provisions for these employees are covered by the Local Government (Early Termination of Employment) (Discretionary Compensation) (England and Wales) Regulations 2006 [S.I. 2006 No. 2914] (as amended). These Regulations do not apply to uniformed operational staff on Grey and Gold Book Conditions of Service as the Service has no discretion to make enhancements to redundancy payments.

1. Introduction

1.1 Hereford & Worcester Fire and Rescue Service (HWFRS) is committed to try and secure the employment of all employees where practicable, and will therefore exhaust all other options prior to identifying the need for redundancies. It is recognised there may be times when there is no alternative, either through financial constraints, changes in service provision or organisational requirements to change its workforce profile.

1.2 The key principles of the policy are:

- The Service will endeavour to avoid compulsory redundancies through effective Human Resource Planning and wherever possible by considering a range of alternative measures.
- Redundancies will be managed in a fair and consistent manner in accordance with relevant legislation and non-discriminatory practices.
- The Service is committed to using fair, transparent and non-discriminatory criteria for the selection of employees for redundancy.
- Consultation with the relevant Trade Union and employees will be timely and meaningful and all reasonable suggestions will be given serious consideration. Where applicable, the minimum statutory consultation periods will be adhered to and the statutory obligations will be met.
- All reasonable attempts to find suitable alternative employment for employees who are selected for redundancy will be made.
- Where redeployment opportunities are identified, a fair selection process will take place where there are more eligible employees than available posts in order to determine the most suitable candidate for the position.
- Relevant support systems will be provided for those affected as far as is practicable.
- Employees with at least two years continuous service at the date of redundancy or expiry of fixed term contract will be entitled to receive a redundancy payment.
- Where an employee unreasonably turns down the offer of redeployment to suitable alternative work, no redundancy payment will be made.
- All employees who have been issued with notice of termination of employment due to redundancy have the right of appeal.

2. Identifying a Redundancy Situation

- 2.1 The statutory definition of a redundancy is when employees are dismissed because:
- the employer has ceased or intends to cease to carry on the business for the purposes of which the employee was so employed; or

- the employer has ceased or intends to cease to carry on the business in the place where the employee was so employed; or
- the requirements of the business for employees to carry out work of a particular kind has ceased or diminished or are expected to cease or diminish; or
- the requirements of the business for the employees to carry out work of a particular kind in the place where they were so employed, has ceased or diminished or are expected to cease or diminish.

2.2 Where a Senior Management Board (SMB) member is considering making a post redundant he/she will present his/her proposal to SMB and obtain approval from the Chief Fire Officer (CFO). In order to inform the proposal the SMB member will liaise with the Head of Human Resources to consider if the proposal meets the criteria for redundancy.

2.3 The relevant Director will determine a suitable manager "Nominated Manager" to manage the redundancy process in conjunction with the Head of Human Resources. The Nominated Manager in discussion and agreement by the Head of Human Resources will identify those employees whose jobs may be at risk of redundancy (ie. those within the pool of selection for potential redundancy). In deciding who may be at risk of redundancy, managers must ensure that staff undertaking the same work at the same grade across the Service are included. Where a role is a one-off or extremely specialised it may be a single post. However, consideration should always be given to the possibility that someone facing compulsory redundancy might be retrained to fill an alternative post. A pool of selection can cover a team, unit, directorate or similar posts across the organisation.

2.4 The Nominated Manager and Nominated Human Resources Manager will consult with the recognised Trade Unions on proposed redundancies. Redundancy consultation will be undertaken 'with a view to reaching agreement' and will cover ways of avoiding dismissals, reducing the numbers to be dismissed and mitigating the consequences of the dismissals, however it must be remembered that redundancies cannot always be avoided.

3. Redundancy Consultation

3.1 The purpose of consultation is to provide as early an opportunity for all concerned to share the problem and explore options. Through effective consultation, the Service will be in a better position to decide whether the needs of the organisation can be met in some way other than dismissal by redundancy.

3.2 Consultation is a statutory requirement and will be undertaken 'with a view to reaching agreement'. However, there is no legal obligation to adopt all or any of the proposals put forward by the employees and representatives. All discussions will be documented.

3.3 Consultation will begin in good time as soon as practicable, and be completed before any redundancy notices are issued. The consultation process is outlined in Appendix A.

3.4 Regardless of the number of potential redundancies, the Service will consult with the appropriate trade union representatives. There are statutory notification requirements that will be followed where there are 20 or more employees to be made redundant. The relevant statutory Form HR1 will be completed and issued as required by the Head of Human Resources. The Service will commence redundancy consultation at the earliest opportunity in accordance with the following statutory timescales:

Employees to be dismissed over a 90 day period	Statutory consultation period
Between 20 and 99 employees	30 days before first dismissal takes effect
100 or more employees	90 days before first dismissal takes effect

3.5 There is also a requirement for the Nominated Manager in conjunction with the Human Resources Manager to consult with the employees who may be affected by a proposed redundancy. Consultation must be meaningful and occur whilst the redundancies are still at the proposal stage. The employee group will be consulted on the changes and the proposed redundancies. The HR Manager will write to the employee group to notify them they are 'at risk' of redundancy and to invite them to a meeting (refer to paragraph 3.8).

3.6 Consultation is a requirement even when there are volunteers for redundancy. The Human Resources Manager will meet with the appropriate recognised Trade Union representatives to consult on proposed redundancies and will confirm the proposal in writing. The letter will include:

- The reasons for the proposals
- The numbers and descriptions of employees it is proposing to dismiss as redundant
- The total number of employees of any such description that may be affected at any location in question i.e. the pool of employees.
- The proposed method by which employees will be selected for redundancy if compulsory redundancies are required
- The proposed method for dismissals to be carried out, including the period over which the dismissals are to take effect
- The method of calculating the redundancy payments to be made to those who are dismissed

3.7 The objectives of consultation are to:

- Try and avoid dismissals
- Keep the number of employees dismissed to a minimum
- Mitigate the consequences of the dismissals
- Ensure that employees are provided with all relevant information

3.8 The consultation will cover the following:

- The reasons for the potential redundancies.
- The number of jobs that are at risk of being redundant (making sure it is clear that the redundancies are only a possibility at this stage)
- An explanation of the selection of those in the "at risk" pool. The Service will also endeavour to ensure that the "at risk" pool of employees is fairly defined. (Refer to paragraph 2.2 above)
- Ways of reducing the number of redundancies and mitigating the consequences of the redundancies.
- Asking for suggestions of ways to avoid redundancies.
- The possibility of seeking volunteers (if appropriate)
- The effect on earnings where redeployment takes place to a lower graded post/role in preference to redundancy
- Alternative employment opportunities available
- Arrangements in respect of the retention of any benefits, e.g. lease vehicles etc.
- An explanation of the proposed selection criteria (if relevant)

3.9 Compulsory redundancies will only be considered once all other options have been explored including:

- The likely effects of natural wastage
- Reducing or where possible, eliminating employment of temporary staff and staff employed via agencies
- Flexible working
- Redeployment and, if possible, retraining, to other parts of the Service (where vacancies exist)
- Wherever possible, reduction or elimination of overtime working
- Restrictions on recruitment including freezing vacancies
- Consideration of suggestions from employees / employee representatives
- A salary freeze for a specified period
- Job-sharing, part-time employment and/or other flexible arrangements
- Seeking volunteers for early retirement and/or redundancy
- Offering alternative employment to those selected for redundancy
- Bumping redundancies

3.10 Following consideration of all feedback during the consultation process the Nominated Manager in conjunction with the HR Manager will notify the Trade Union representatives and employee group of the decision in writing.

4. Assimilation of staff into vacant posts

4.1 A fair and transparent process will be followed in the appointment and assimilation of employees to vacant posts. The underlying aim will be to appoint existing employees to vacant posts through:

4.1.1 Direct assimilation (slotting in)

Where a vacant post or a new post is almost identical to the post occupied by an employee affected by redundancy, in terms of job content, grade, status, hours and skills mix requirements and no other affected employee is in the same position, the employee will be assimilated into the vacant or new post without competition.

4.1.2 Competitive assimilation (ring fencing)

Where more than one affected employee is in a post that is almost identical to a vacant post, in terms of job content, grade, status and skills mix requirements, those employees will be considered for that vacant post in competition with each other and an appropriate redundancy selection process will be applied (Refer to section 8). In these circumstances vacant posts will not be advertised for general application.

4.1.3 Open Competition

Where there are other vacancies within the Service, these posts will be ringfenced for staff who are 'at risk' of redundancy to apply for. Refer to Section 6.

4.2 Where an employee meets most of the essential criteria of a vacant post and the employee is considered to be suitable to be developed into the post within a reasonable period of time, they may be offered the post subject to them acquiring the required skills etc. The salary / grade will be adjusted to reflect the level of skills, knowledge and qualifications. The full grade will only be paid when the employee meets the essential criteria and is fully skilled to undertake the full duties of the post.

5 Voluntary Redundancy Process

5.1 At the Service's discretion, employees who volunteer and are accepted for redundancy may be offered a discretionary compensation sum that is higher than the level of redundancy pay payable to employees who are selected compulsorily. If this is the case, the Service will publish details of the proposed financial terms that will be offered at the same time as invitations to volunteer are communicated.

5.2 The Service will consider inviting volunteers for redundancy from the 'at risk' pool or the wider organisation prior to making compulsory redundancies. The decision will be made by the relevant Director or CFO who will set out the process to be adopted. The opportunity to volunteer for redundancy will be available for a defined period and the communication will clearly state the closing date for applications.

5.3 Employees who choose to apply for voluntary redundancy are not guaranteed to have their application accepted. The Service reserves absolute discretion to decide whether or not to accept any individual application for redundancy. The decision as to whether or not to accept a particular application will depend on the Service's need to retain the types of knowledge and skills that are believed to be essential to meet its future aims, the need to retain a balance of people with different skills, and the overall situation at the time. The Service's decision on whether or not to accept or reject any particular application is final. The Service will take into account the future needs of the Service and reserves the right to refuse a request from any volunteers for redundancy. Employees will be informed of the reasons why they have been refused for voluntary redundancy.

5.4 Where an employee's application for voluntary redundancy is accepted, the employee will be notified of this in writing as soon as possible after the closing date for applications. Thereafter a meeting will be set up with the employee to discuss and agree the timing of his/her redundancy. The employee will receive notification of their entitlement to notice, final pay and benefits, redundancy pay and any entitlements to early release of pension depending on whether or not the employee meets the criteria defined in the relevant Pension Scheme.

6. Redeployment

6.1 The Service will ring fence any current and anticipated vacancies that are known at the time of the proposal being approved by SMB, for prior consideration of those employees who are "at risk" of redundancy. These efforts to identify suitable alternative employment will continue throughout an employees' notice period.

6.2 The employee will be asked to complete a Redeployment Form to identify their qualifications, training, experience, skills and abilities. HR Manager will inform "at risk" employees of any suitable alternative vacancies, giving them sufficient details to enable them to decide whether or not to apply. The employee will be given five days to complete and submit the form. The relevant Manager will undertake the skills assessment process which will be verified by the Human Resources Manager. Employees who meet the essential criteria or could do, within a reasonable period of time will be offered a priority interview for the position. The key purpose of the interview will be to establish whether or not the position is suitable for the employee, taking into account the employee's background, level of seniority, skills and type/level of experience, as well as the terms and conditions applicable to the post in question. A suitably trained HR Representative will attend the interview to ensure an objective and fair process has been conducted.

6.3 Where it is deemed relevant other suitable selection processes such as a written test, may be undertaken to identify the most suitable person for the post.

6.4 Where a potentially redundant employee is considered for an available alternative position, management reserves the right to make the final decision as to whether or not to offer the employee that position. Any development needs will be considered as outlined in paragraph 4.2 above. If a decision is made to offer the employee the position, the offer will be made in writing and the employee will be given five working days to decide whether or not to accept it. This time period may be extended by agreement if the alternative position involves any major changes for the employee such as a move to a new location.

6.5 Where redeployment opportunities arise after issuing an employee with notice, it may be possible to rescind the notice by mutual consent.

6.6 If an offer of suitable alternative employment is made, but the employee unreasonably refuses to accept it, the employee will lose his/her right to a redundancy payment. However, if it is accepted that the alternative employment offered is not entirely suitable for the employee and/or the employee's refusal of the offer is reasonable in the circumstances, he/she will be treated as having been dismissed by reason of redundancy on the date that his/her original job came to an end. In these circumstances, the employee will retain the right to a redundancy payment and to the benefits of the Service's redundancy pay scheme. Management reserves the right to make the final decision on this matter, although the views of the employee will be taken into account.

6.7 Where alternative employment is offered and accepted in a redundancy situation, the employee will be entitled to a trial period of four weeks in the new post. This time period may be extended up to a period of 12 weeks for retraining purposes and will be extended by written agreement before the start of the trial period. The trial period is a statutory provision enabling both the employee and the Service to assess whether or not the post is genuinely suitable for the employee. During the trial period the employee will receive the pay, terms and conditions applicable to the new role, taking into account any deemed pay adjustments in accordance with the employee's development needs. However, where the new role is graded lower than the redundant post, then pay protection will apply in accordance with Section 7 below. The Service will arrange a review meeting with the employee towards the end of the trial period to discuss whether or not the new job is in fact suitable for him/her, taking into account how the employee has performed, and any other relevant factors. If it is established that the post is not objectively suitable for the employee, his/her employment will be terminated by reason of redundancy.

6.8 In the event that the Service decides to terminate the employee's employment at the end of the trial period, he/she will retain the right to a redundancy payment and to the benefits of the Service's redundancy pay scheme. The relevant date for the purposes of calculating redundancy pay in these circumstances will be the date on which the employee's original job ended (and not the date that marked the end of the trial period).

7. Pay Protection

7.1 If an employee is redeployed to a post that is on a lower grade than their previous post then the employee's salary will be protected for a period of three years. Pay protection will be the difference in salary based on 100% in year 1, 66% in year 2, 33% in year 3. At the end of the protected pay period, the employee will revert to the top of the grade of the post that they occupy.

7.2 Pay protection will protect the “current salary” of the employee. During the period of the pay protection, the employee will not receive any further increments that they may have received in the post prior to redeployment to the new post, nor will they receive any annual pay increase awarded by the Service, until such time as the annual salary increases “catch up” with the new post.

7.3 Any other benefits such as car allowance, contractually enhanced payments such as overtime or weekend working that would have normally applied prior to redeployment will also be protected in accordance with paragraph 7.1. Enhanced payment will be calculated on an average based on the previous 12-month period. Benefits will be protected at the prescribed hourly rate of pay.

7.4 Should any posts become available during the protected period that match the redundant post to which the employee was previously appointed, the employee on pay protection will be considered, in the first instance, for a vacancy on their former substantive grade. Thereafter other staff who are “at risk” of redundancy, will be considered for a vacancy prior to the post being advertised. Redeployment will be subject to satisfactory performance and conduct.

8. Selection Process for Compulsory Redundancy

8.1 Where compulsory redundancy is the only option available and the number in the pool of “at risk” employees exceeds the number required the Nominated Manager in conjunction with the Human Resources Manager will consult with the Trade Unions on the redundancy selection criteria to be applied. Appendix B outlines the process to be followed. The timescales are indicative that management will endeavour to effectively move forward.

8.2 When selecting employees for redundancy, consideration will be given to the future viability of the Service, in order to maintain a balanced and suitably skilled workforce after the redundancies have been implemented.

8.3 The proposed redundancy selection criteria will be determined by the Nominated Manager in conjunction with the Human Resources Manager and in consultation with the relevant Trade Unions. It will as far as possible be objective criteria, precisely defined and capable of being applied in an independent way for determining which employees are selected for redundancy. The criteria must be relevant, fair and measurable. It will include the proposed weighting and scoring criteria to reflect the importance to the post. Any criteria will be free from discrimination in accordance with employment equality legislation. Appendix C provides an example Redundancy Selection Matrix. Selection criteria for redundancy will be made on the basis of objective criteria, which will be reasonably, fairly and consistently applied. Selection criteria will be formulated upon criteria such as:

- Knowledge (e.g. of job, HWFRS etc)
- Skills
- Breadth and depth of relevant experience
- Versatility (in terms of ability/willingness to perform different functions/duties)
- Relevant qualifications/training (Cannot be used in isolation)
- Job performance
- Attendance (2 year duration)
- Time-keeping
- Disciplinary record (live sanctions)

8.4 All relevant staff will be scored against an agreed set of criteria. The point scoring exercise will be carried out by the Nominated Manager or relevant line manager and will be based on available evidence. Any absences related to pregnancy, disability or as a result of a work related injury (where it has been established that the Service was at fault) will be excluded. Their scoring will be examined by the Human Resources Manager in order to ensure that a fair assessment has been made and that the employee rights have been fully understood and complied with.

8.5 Where an employee in the pool for selection is disabled, the Service will ensure that he/she is not put at any disadvantage on account of the application of the selection criteria and will accordingly make reasonable adjustments to the selection procedure to remove any disadvantage that the disabled employee would otherwise have.

8.6 Following the selection exercise, individuals will be invited to an interview. A decision will then be made based on a combination of the completed matrix and interview. Following this exercise individual employees who are provisionally selected for redundancy will be invited, in writing, to a meeting with the Nominated Manager and Human Resources Manager to discuss their selection for redundancy. The letter will inform the employee that they have been provisionally selected for redundancy. Employees will not be given access to the scores of other employees or any information that identifies other individuals. Those employees who are absent from work will also be invited to attend consultation meetings. Employees will have the right to be accompanied by a Trade Union representative or fellow colleague.

8.7 The meeting should take place within five working days of receiving notification of their provisional selection for redundancy. If the employee does not wish to attend the meeting they may submit written representations.

8.8 The aim of the meeting is for the manager to gain sufficient information to consider the proposed redundancy and reach a final conclusion. The Nominated Manager will hold as many consultation meetings as necessary to properly consult with the employee.

8.9 The purpose of the meeting will be to:

- inform the employee that they have been provisionally selected for redundancy
- discuss the selection process and criteria used and the scores allocated to the employee
- discuss any alternative options that have not been exhausted including alternative posts available
- inform the employee of their estimated redundancy payments, contractual notice period. Where appropriate the minimum contractual / statutory notice periods will be adhered to
- Enable the employee to have the opportunity to put forward any relevant information and representations including any reasons why they feel that they may have been unfairly selected for redundancy or suggest alternatives.

8.10 The Nominated Manager in conjunction with the Human Resources Manager will duly consider any representations and will provide written feedback to the employee and Trade Union representative.

9. Termination of Employment

9.1 Appendix D outlines the relevant process for termination of employment. At the end of the redundancy consultation period if there are no alternatives available other than compulsory redundancy the Human Resources Manager will write to relevant employees confirming the decision to dismiss them as redundant and specify the termination of employment date. The letter will contain an explanation of the redundancy payment calculation, their notice of termination of employment, any other payments to be made on termination of employment and their right of appeal.

9.2 It is expected that employees will work their notice period. In certain circumstances the Service may allow an employee to leave before their termination of employment date and consideration will be given to payment in lieu of notice.

9.3 If a redundant employee is successful in obtaining alternative employment external to the Service, during their period of notice, the employee will receive redundancy pay as well as salary and other benefits up to the date they actually leave the Service. However, an employee who resigns prior to being issued notice of termination by the Service will not be entitled to receive redundancy pay.

9.4 An employee who is made redundant will not be allowed to be re-engaged as an employee or consultant within the Authority for a period of twelve months from their leaving date.

9.5 Employees will normally be required to take any outstanding holiday entitlement and any flexible leave owed to them during the notice period. Only in exceptional circumstances will payment be made.

10. Appeal Process

10.1 Where the Trade Union Representative believes that matters or processes on a collective basis have not been carried out in accordance with these procedures, they should refer the matter to the Head of Human Resources in the first instance, within five days of the occurrence.

10.2 If an individual employee believes that the redundancy process (e.g.) redundancy selection criteria has been unfairly applied to them they should lodge an appeal within five working days of being issued with a letter that confirms their notice of termination of employment. Letters of appeal must set out the detailed grounds upon which the appeal is being pursued, identifying clear rationale for the perceived unfair process must be received by the Head of Human Resources within the five day time limit. Appeals lodged outside of this timeframe will only be considered in exceptional circumstances. Upon receipt of the letter of appeal, the Head of Human Resources shall consider whether the employee has grounds for appeal and where relevant, shall make appropriate arrangements for an appeal hearing to be heard by a relevant Director. The appeal hearing will be chaired by a person not directly involved in the selection of the employee for redundancy.

10.3 At the Appeal Hearing the employee will be entitled to be accompanied by a Trade Union Representative or a fellow colleague. The Appeal hearing will take place as soon as is reasonably practicable and it is anticipated that most appeals will be heard during the notice period and if the appeal is upheld, notice would be withdrawn. Where the appeal takes place after the end of the notice period, the employee will be reinstated should the appeal be upheld, and service will be regarded as continuous.

10.4 The employee will be notified in writing of the decision of the Appeal hearing chair.

11. Redundancy Pay Scheme

11.1 Employees with at least two years continuous service are entitled to a redundancy payment. Previous continuous service with a Local Authority or related body is defined by the Redundancy Payments (local Government) (Modification) Order 1999 and subsequent amendments, will be included in calculating the entitlement to a redundancy payment.

11.2 Where a fixed-term contract expires, and is not renewed, this will be a dismissal in law and the reason for dismissal will be redundancy if the employee has more than two years continuous service.

11.3 Redundancy payments will be calculated in accordance with the Statutory Redundancy Payments Scheme and applicable tax regulations. The Service, however, will exercise its discretion to substitute actual weekly gross pay as opposed to the statutory redundancy pay. The Chief Fire Officer may consider a further discretion to award additional compensation (i.e. exceeding the statutory minimum number of weeks gross pay) where there is a justifiable business case to do so.

11.4 If awarded discretionary compensation it would be inclusive of that paid under the Statutory Redundancy Payments Scheme.

11.5 A week's pay is that which the employee is entitled to under his or her contract at the calculation date. The calculation date is the date on which the employer gives the employee notice to which they will be entitled to under their contract. If the weekly pay varies the Service will use an average of the previous twelve weeks pay prior to the calculation date.

11.6 Overtime will not be counted in the calculation of a weeks pay unless there is a contractual obligation for the Authority to provide it, and the employee is bound to work it.

11.7 An employee who would normally be entitled to a redundancy payment may lose this entitlement where:

- a) He or she commits an act of gross misconduct and is dismissed in the notice period
- b) He or she unreasonably refuses an offer of suitable alternative employment

11.8 An employee will not be entitled to redundancy payment in accordance with the Redundancy Payments Modification Order (Local Government) 1983 if he or she accepts employment with another Modification Order body within four weeks of leaving the employment of the Authority.

12. Pension Scheme Provisions

12.1 Members of the Local Government Pension Scheme who accept alternative employment at a lower level of salary are entitled to a 10 year "certificate of protection" for pension purposes.

12.2 Members of the Local Government Pension Scheme who are aged 55 or more are entitled to immediate unreduced pension benefits based on their membership up to the date of leaving.

12.3 Under Regulation 12 and Regulation 13 of the Local Government Pension Scheme (Benefits, Membership and Contributions) Regulations 2007, the Authority has the discretion to award additional membership or additional pension. To be eligible the employee must have at least three months local government pension scheme membership. These discretions apply on redundancy regardless of whether the employee has immediate access to their pension benefits and will be granted where it is in the interests of the Authority to do and there are sound financial reasons for doing so.

13. Support for Employees

13.1 Employees who are selected for redundancy will be given as much help and advice as possible by their manager and HR representative. This may include, but is not restricted to, help with CV's and completion of application forms, access to careers advice and general support. Counselling services will be made available to those employees who could be affected by redundancy.

13.2 Subject to the Service's operational needs, employees will be given permission to take reasonable time off work during their notice period to look for work or seek retraining opportunities in accordance with current legislation. Evidence of interviews / training may be required and permission must be sought in advance.

13.3 It is recognised the employees who remain working for the Service may also require support, guidance and advice. The HR department will actively support managers and employees in any way possible to facilitate the change process.

14. Absent Employees

14.1 The Service will endeavour to consult with all affected employees, even if he or she is absent due to illness. The Service will therefore keep absent employees up to date with the ongoing redundancy process and send him or her the same written information as it provides to other employees. Absent employees will be given the opportunity to play an active role in the redundancy consultation, and will be encouraged to fully engage in the process. If an employee is unable to physically attend consultation meetings at the workplace, consideration will be given to arranging consultation by telephone, letter and/or email.

14.2 The Service recognises that change management processes can be stressful for all affected employees, and any unnecessary delays in concluding the process can exacerbate such feelings of anxiety. The Service will therefore be very reluctant to put any change management processes "on hold" if an employee is absent due to sickness, in light of the detrimental impact on others.

14.3 Where appropriate, the Service shall obtain medical advice as to an employee's ability to fully engage in any given change management process. Employees who unreasonably refuse to co-operate with the Service, or who unreasonably refuse to engage in consultation procedures may be subject to disciplinary action.

15. Employees on Maternity, Paternity or Adoption Leave

15.1 An employee on maternity, paternity or adoption leave has the right to return to the job in which they were employed, on no less favourable terms and conditions.

15.2 If the employee on maternity, paternity or adoption leave is unable to return to their previous job by reason of redundancy, they are entitled, where there is a suitable available vacancy, to be offered alternative employment in preference to other employees. The provisions of the alternative employment must not be substantially less favourable than if they had returned to the original job. The employee is entitled to be offered any suitable alternative employment, even if it arises before they notify the Authority of their intended return date. An offer of alternative employment cannot be withheld only on the basis that the employee cannot take up post immediately. The post should be held for the employee until their period of maternity, paternity or adoption leave ends, if necessary covered on a temporary basis.

15.3 Where an employee on maternity, paternity or adoption leave is potentially redundant, managers must ensure that the employee is provided with all necessary information, including vacancies, and that they are fully consulted. If necessary, there should be some home visits. Employees should also be informed that they are required to maintain regular contact with their line manager and/or HR.

15.4 The Service will take all reasonable steps to facilitate redeployment of employees who are notified of redundancy during maternity, paternity or adoption leave. This includes steps in relation to arrangement of meetings, interviews, and selection processes.

16. Review

16.1 This policy will be reviewed periodically and the Service will apply changes to legislation and Pension Scheme Regulations as applicable.

APPENDIX A

Consultation Process for Proposed Redundancies

DAY	PROCESS	RESPONSIBILITY
1	Complete and issue Statutory Form HR1 if it is proposed that more than 20 employees will be made redundant within a 90 day period	Head of Human Resources
1	Meet with relevant Trade Union representatives to consult on proposed redundancies (Refer to paragraph 3.8)	Nominated Manager and Human Resources Manager
1	Write to Trade Union representatives to confirm the proposals .	Human Resources Manager
1	Write to employee group to inform them of proposed redundancies and invite them to a meeting (Refer to paragraph 3.5)	Human Resources Manager
5	Meet with relevant “at risk” employees to consult on proposed redundancies (Refer to paragraph 3.8)	Nominated Manager and Human Resources Manager
5 to 21	Provide comments, suggestions and counter proposals to relevant Nominated Manager	Trade Union Representatives and employee group
21 to 28	Consider feedback	Nominated Manager and Human Resources Manager
28	Write to Trade Union representatives and employees to notify them of decision and right of appeal (refer to Appendix D)	Human Resources Manager

Notes:

Timescales may be varied with agreement of Nominated Manager and Trade Union Representatives

Where applicable, statutory timescales for consultation will be followed in accordance with paragraph 3.4, and the above timescales will be varied in such circumstances.

APPENDIX B

Selection Process for Compulsory Redundancies

DAY	PROCESS	RESPONSIBILITY
1	Write to relevant trade union representatives to inform them of the proposed redundancy selection criteria, methods of scoring and weightings (Refer to paragraph 8.3	Human Resources Manager
5	Meet the relevant Trade Union representatives to consult on the proposed redundancy selection criteria, methods of scoring and weightings. Consider Feedback.	Nominated Manager and Human Resources Manager
8	Write to relevant trade union representatives to notify them of the agreed redundancy selection criteria, methods of scoring and weightings.	Human Resources Manager
9-16	Complete scoring matrix based on available evidence as required for each employee in redundancy pool	Nominated Manager
17-18	Hold a selection interview with individual employees and base decision on a combination of the completed matrix and interview.	Nominated Manager and Human Resources Manager
17-18	Consider scoring matrix and interview outcome to ensure a fair process has been completed and employee rights are complied with	Human Resources Manager
19	Write to employee to notify them of the outcome of the process and invite them to a meeting (Refer to paragraph 8.6 and 8.7)	Human Resources Manager
24	Meet with relevant employee and their representative to discuss their selection for potential redundancy and for employee to put forward their representations (Refer to paragraph 8.9)	Nominated Manager and Human Resources Manager
24	Consider employee's representations	Nominated Manager and Human Resources Manager
25	Provide written feedback to employee and Trade Union representative to notify them of the decision and right of appeal (refer to Appendix D).	Human Resources Manager

Note: Timescales are indicative and may vary dependant upon the numbers within the redundancy pool

APPENDIX C

Redundancy Selection Matrix			
Name of employee		Job title	
Department			
Name(s) of manager(s) making assessment			
Criteria	Score (1-10)	Weighting (1-5)	Total score
Knowledge (e.g. of job, HWFRS etc)			
Skills			
Breadth and depth of relevant experience			
Versatility (in terms of ability/willingness to perform different functions/duties)			
Relevant qualifications/training			
Job performance			
Attendance (2 year duration)			
Time-keeping			
Disciplinary record (live sanctions)			
Total score			
Manager's signature		Date	
Verified by HR Manager		Date	
<p>Notes</p> <p>The range of 1-10 for employees' point scores should be applied as follows:</p> <p>10 = highest (e.g. the employee's skills are exceptionally relevant and useful to the organisation)</p> <p>1 = lowest (e.g. the employee does not have suitable or adequate skills to do the job)</p>			

APPENDIX D

Process for Termination of Employment

1	Write to employee to confirm decision to dismiss due to redundancy and right of appeal (Refer to paragraph 9.1)	Human Resources Manager
2 to 6	Employees eligible to submit letter of appeal	Employee
7	Arranges appeal hearing	Human Resources Manager
14	Appeal hearing	Relevant Director Head of Human Resources Employee
21	Letter to employee informing outcome of appeal	Relevant Director

Note: Timescales are indicative and may vary