

Report of:	Head of HR
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Portfolio Leader:	Corporate Improvement
Key Decision:	No
Report Track:	Council: 05/10/16

COUNCIL
5 OCTOBER 2016
REDUNDANCY AND RESTRUCTURE POLICY

1 Purpose of Report

- 1.1 The purpose of this report is to present to Council a final version of a new Redundancy and Restructure policy.

2 Recommendations

- 2.1 That Council approves the Redundancy and Restructure Policy attached to this report at Appendix 1.

3 Key Issues and Reasons for Recommendation

- 3.1 The current Cannock Chase Council policy on dealing with redundancy processes dates from 2006 and has not been reviewed since that time. The existing policy is out of date and does not comply with ACAS guidance, legislation and best practice in the management of redundancy processes. The new policy has been written to ensure such compliance.
- 3.2 The policy only deals with the administrative procedures relating to redundancy management. It makes no change at all to the Council's arrangements for calculating and paying statutory redundancy pay or to the established method for calculating payment of compensation for redundancy for eligible employees. These arrangements remain unchanged.
- 3.3 The policy has been drafted as a shared document for use at both Cannock Chase Council and Stafford Borough Council
- 3.4 A draft of the policy was circulated to the recognised trade unions for consultation purposes and has subsequently been updated to take account of the feedback received.

4 Relationship to Corporate Priorities

- 4.1 This report does not contribute directly to the Council's Corporate Priorities but is required for legal compliance and good practice

5 Report Detail

- 5.1 The Council's existing redundancy policy has not been revised since 2006 when the current version was adopted. There are a number of aspects of the policy that do not follow current redundancy guidance. For example:
- The use of the term 'ownership' is not one that is found in current redundancy legislation. Similarly the 50% and 80% rules have no actual basis in legislation per se.
 - The policy does not reflect the most recent changes to statutory consultation periods.
 - Under the current policy employees are only given preferential access to vacancies in the Council at the point at which they are issued with notice. Actually this right should arise much earlier in any redundancy process – at the point at which an employee is placed 'at risk'. An employee is 'at risk' of redundancy at the point that a redundancy is proposed rather than at the point at which it is confirmed.
- 5.2 It should also be noted that since the policy was adopted in 2006 the Council has undergone significant changes, not least the creation of shared services. The HR shared service committed to reviewing and updating key policies so that they are shared across both Cannock Chase Council and Stafford Borough Council.
- 5.3 The new policy describes and clarifies arrangements for all key aspects of both redundancy and restructure situations including:
- Guidance for managers on determining the business case justification for redundancy.
 - Guidance on when alternative employment is 'suitable' as defined in current legislation. This definition replaces the previous 'ownership' and 50% and 80% rules.
 - Guidance on when rights to offers of alternative employment should be applied
 - Processes and timescales for consultation with trade unions and employees.
- 5.4 The draft policy does not describe or amend in any way the arrangements for payment of statutory redundancy pay or any additional compensation for redundancy as defined within the LGPS (Early Termination of Employment) (Discretionary Compensation) Regulations. The Council's approach to all

termination payments arising from redundancy is set out in the Cannock Chase Council – Employer Discretions Policy Statement approved by full Council in 2014.

5.5 A draft version of the policy was circulated to UCATT, UNISON and GMB for comment/consultation and they were given a deadline of 12th August 2016 to give a response. The only union to respond has been UNISON and their comments have broadly been incorporated into the draft as follows:

- A query was raised about the meaning of the term “similar rate of pay” used in the context of determining access to suitable alternative employment. The policy has been amended slightly to clarify that a role would be deemed to be suitable alternative employment if the grade of any new post offered is similar to the grade of the old post inclusive of any pay protection arrangements.
- Within the old SBC policy there was a requirement for any person on pay protection to apply for work at their previous grade or risk losing their pay protection. Following feedback this provision has been removed.
- A request was made to include comments to the effect that Trade Unions will take an active role in consultations with employer and be available to advise and support their members. This has been included in the updated policy.
- UNISON requested that we consider increasing the statutory timescales for employee consultation on redundancy. The policy as written indicates that we will apply the statutory 30 or 45 day timescales though these can be extended at the discretion of the relevant manager. On that basis it is clear that there is already provision built in for increasing the statutory timescales as and when required.
- A request was made to increase the timescale for notice of a redundancy appeal hearing from 5 to 10 working days. This request has been incorporated into the updated policy.

6 Implications

6.1 Financial

None. The draft policy makes no change to current redundancy payment arrangements.

6.2 Legal

The legal implications are discussed in the main body of this report.

6.3 Human Resources

The intention of the draft policy is to be clearer about the processes involved in terminating employment on grounds of redundancy and, to this end, includes guidance for managers on the grounds for redundancy and decision making.

There is no change to redundancy payment provisions.

6.4 Section 17 (Crime Prevention)

None

6.5 Human Rights Act

None

6.6 Data Protection

None

6.7 Risk Management

The current policy does not fully reflect current legislation and good practice around redundancy handling. The revised policy seeks to address those shortcomings

6.8 Equality & Diversity

The revised policy makes it clear that any decision concerning redundancy should be based on business need and not on any factor specifically related to an individual (such as any of the protected characteristics)

6.9 Best Value

None

7 Appendices to the Report

Appendix 1 – New Redundancy and Restructure Policy

Previous Consideration

None.

Background Papers

None.

Appendix 1

Policy Title: **Redundancy and Restructuring Policy**
Owner: **HR Services**
Date Issued: **August 2016**



Unless otherwise stated this policy applies to all employees of Stafford Borough Council and Cannock Chase District Council

INTRODUCTION

Purpose

There are occasions when the Council must reconfigure its workforce to meet changing situations. The purpose of the policy is to detail the circumstances where the Council may have to use redundancy and/or restructuring processes to adjust the composition and size of its workforce according to business requirements and financial pressures.

Whilst the Council would wish to avoid redundancies wherever possible, the following procedures are designed to be applied whenever the potential for redundancies arises. The Council is committed to managing any redundancy situation in a sympathetic, fair and non-discriminatory manner.

Scope

This policy applies to circumstances where dismissal of employees is contemplated on grounds of redundancy. It may also be used in circumstances where restructuring of services is contemplated which result in no net reductions in workforce but where employees may be required to assimilate into alternative or amended roles.

This policy does not apply to situations where dismissal may arise from disciplinary action, incapacity due to ill health, capability or performance issues.

POLICY STATEMENT

To meet its obligations to employees in periods of change the Council is committed to measures, which, as far as practicable, avoid the need for compulsory redundancy.

ELIGIBILITY/EXCLUSIONS

Unless superseded by national agreements or legislative changes this policy will apply to all employees of the Council facing redundancy or restructuring.

Fixed term workers whose contract might be terminated (earlier than anticipated) on grounds of redundancy will be included within scope of the procedures for redundancy outlined in this policy. If the fixed term contract comes to a natural end at the intended finishing date then this remains the reason for termination.

DEFINITIONS

- **The Council** - Unless otherwise stated this refers to both Stafford Borough Council and Cannock Chase District Council

- **Redundancy** - Redundancy occurs where an employee is dismissed because the work that they do is no longer required by the Council or the need for that type of work has reduced or because the Council decides not to carry out a particular function, or because a particular site is closing. Redundancy is most likely to occur in the Council:
 - Where a change in the levels or type of service delivery is identified necessitating a restructure of personnel resources resulting in an overall reduction in the workforce.

 - Where the annual budget setting process identifies a need for cost reductions, to address prevailing financial pressures, giving rise to a range of options for cost or efficiency savings. Such proposals may involve overall service reductions or deletion of particular services or deletion of specific activities involving specific posts or groups of posts.

- **“At Risk”** – At the point when a serious proposition is made to cease or reduce work or to restructure leading to a net reduction in the workforce those people directly affected by the proposals will be deemed as being ‘at risk’ of being made redundant. Any such proposition will be subject to consultation with those affected and with their trade union representatives before a final decision is taken.

- **Restructure** – A restructure occurs where services are reconfigured to meet changing demands (such as responding to new technology, new legislation, financial pressures etc.). Restructures may lead to a net reduction in the workforce resulting in redundancy. Restructures may also take place which involve no net reduction in posts but employees may be required to redeploy into different roles – necessitating changes to contracts of employment. Note: The application of additional duties and responsibilities or growth in a role over time would not necessarily be defined as a restructuring of the role.
- **Suitable Alternative Employment** – The Council will explore an option of alternative work for people identified as being at risk of redundancy in order to prevent or minimise the need for redundancy wherever possible. Any such alternative work must be **suitable** for the person who is at risk. In general terms an alternative role would be deemed as 'suitable' if it is of a similar rate of pay (inclusive of any pay protection arrangements as described in section 11), involve similar working hours, require similar skills and experience (by reference to the person specification of the post), be of similar status, be in the same or similar location and have broadly similar terms and conditions of employment – though not necessarily similar tasks/duties. A post also has to be deemed 'suitable' from the employee's point of view, taking account of the employee's personal circumstances. If, without a substantial reason, a person refuses an alternative role which the Council deems to be 'suitable' the Council is under no obligation to pay redundancy payments and the employee who rejects such an offer will be deemed to have resigned and will not receive redundancy pay or where appropriate, be eligible for immediate payment of unreduced pension.
- **Assimilation** – In a restructure situation, an employee may be offered direct assimilation to a revised post in the new structure where the duties of the post are broadly the same as those currently undertaken.

ACCOUNTABILITIES

1. Employees:

- To co-operate with Managers and HR Services during redundancy and restructuring processes.
- To attend meetings when required to do so.

- To participate fully in any consultation regarding redundancy and/or restructuring processes to ensure that their views and opinions are heard and can be duly considered.

2. The Council:

- To ensure consistent and fair treatment of employees in line with the policy, legislation and best practice.
- To ensure that employees are able to exercise their right to be accompanied by a colleague or trade union representative during the process.

3. Managers:

- To undertake any review of service in such a way that it is planned, has realistic and achievable outcomes, meets statutory timescale obligations and avoids unlawful discrimination.
- To seek advice from HR Services at the point where service changes are contemplated so that professional advice can be given from the outset.
- To prepare all relevant documentation (such as structure charts and job descriptions) and commission job evaluation of proposed roles **prior to** the commencement of any restructure and/or redundancy consultation process to ensure that consultation is genuine and meaningful.
- To undertake, in collaboration with HR Services, a full communication and consultation programme with all employees and any other services affected by the proposals.
- To be aware of, and fully understand, the procedures detailed in this policy.
- To provide support and assistance to all team members during redundancy and restructure processes and deal sensitively with employee concerns.
- To conduct fair and objective selection processes free from unlawful discrimination.
- To ensure that any counter-proposals made by trade union representatives or employees during consultation are given due and careful consideration before final decisions are made.
- To ensure that responses to consultation comments are communicated back to the employee and/or their representative.

4. HR Services:

- To ensure that any statutory notification to The Insolvency Service is made as appropriate, depending on the number of employees affected by the redundancy proposals.
- To ensure that due and proper consultation processes are followed and information is supplied to Trade Union representatives in line with legislative requirements.
- To provide professional advice and support to both managers and employees in order to ensure a fair and objective process.
- To ensure that all stages of the redundancy process are handled in accordance with this policy, legislation and recognised good practice guidance.

5. Trade Union:

- Support employees during the redundancy or restructure process.
- Take an active role in consultations with the employer and be available to advise and support their members

PROCEDURE

Redundancy

1. Preparing the Business Case

When reconfiguring a service to meet changing demands or proposing savings options giving rise to a net reduction in posts managers should:

- Be clear about the rationale for making a change to the service as this must to be outlined to trade unions and employees during consultation on potential redundancy.
- Be clear about what cost savings will be achieved (if any), what efficiencies would be delivered and what impacts there will be on customers, working practices and roles.
- Undertake equality impact assessments where services are to be changed or reduced to assess the potential impact on customers with protected characteristics. Take steps to mitigate this impact where possible.
- Consider options for minimising the need for redundancies wherever possible.

- Where the proposal will result in a restructure of a service (rather than the deletion of a whole service) prepare draft job descriptions, indicative grades and draft structure charts. Carefully consider what staffing numbers are required and the skills, knowledge and experience that will be necessary to deliver the service in the future. This is vital in order to ensure that affected personnel have a clear idea of the changes that are being proposed such that they are able to participate fully in consultation processes.

Managers should be aware that any initial decision to reduce posts should be based wholly on business need and **must not** arise from the personal characteristics of any given individual or their capabilities. Note: The Council cannot select an employee for redundancy, or dismiss, for a reason **specifically** connected with:

- maternity, adoption or paternity leave
- birth or pregnancy

2. Minimising the need for compulsory redundancies:

The Council aims to minimise the need for **compulsory** redundancies by:

- Achieving staffing reductions through natural turnover or by deleting vacant posts for savings as a first option, unless this would result in severe detriment to service delivery.
- Reviewing and restricting the use of agency personnel, casual workers, external consultants and volunteers, where existing Council employees could undertake this work.
- Ring-fencing internal vacancies to those at risk of redundancy or restricting external recruitment to maximise internal redeployment opportunities.
- Seeking willing volunteers from amongst groups of personnel deemed to be at risk of redundancy from the restructure/savings proposals.
- Seeking volunteers for reductions in working hours (including flexible retirement options) or job sharing – where this meets the needs of the service.
- Undertaking due and careful consideration of any suggestions or counter-proposals offered by trade union representatives or employees during consultation.

3. Voluntary Redundancy

Voluntary redundancy will **not** ordinarily be available except to groups of personnel who have been identified as being at risk of redundancy. However, there may be occasions where the Council determines that offering employees across the Council the option of applying for voluntary redundancy may be a desirable means of avoiding compulsory redundancies. Should the Council decide that a voluntary redundancy scheme is to be made available to all employees an invitation will be issued at the appropriate time for expressions of interest. Under these circumstances all employee requests will be considered on their individual merit, taking account of operational requirements and the needs of the business.

It should be noted that there is no obligation on the part of the Council to agree to any request for voluntary redundancy. If more volunteers come forward than are needed selection criteria and a selection process may be used to ensure fairness and consistency in decision making.

The payment terms for voluntary redundancy will be the same as those for compulsory redundancy situations.

4. Approval of Proposals

Redundancy situations will almost always result in redundancy payment and will often result in actuarial strain - where the employer is required to make a financial contribution to the pension fund to offset the fact that employees over 55 and in the pension scheme at the time of redundancy will gain early access to their pension. The incurring of such costs will generally require formal approval in line with the approval requirements as set out in the Constitution for each Council.

5. Consultation with Trade Unions:

Where redundancies are contemplated the Council will consult with the recognised Trade Unions(s) at the earliest opportunity - with a view to reaching an agreement on the proposals. This will involve:

- Informing the trade union(s) about the service reductions and associated redundancy proposal(s).

- Outlining the business case/rationale for the proposed redundancies and the pool of employees potentially affected by the proposal.
- Exploring any potential options for avoiding redundancies or minimising the number.
- Outlining the proposed criteria and/or process to be used for selecting employees who may potentially be made redundant.
- Explaining the period over which the redundancies are to take place.
- Outlining the proposed method for calculating the amount of any redundancy payment (over and above statutory redundancy pay).

In addition managers should set out any associated restructure plans which affect the remainder of the personnel who are not at risk of redundancy as any such restructure and changes to roles are also subject to consultation processes.

This exchange of statutory information with the recognised Trade Unions(s) will usually be facilitated by HR Services, in writing (based on information supplied by Managers), and formal redundancy consultation will be deemed to commence on the date when these details are issued to Trade Unions(s) and the affected employees have been informed.

Ongoing consultation will then take place between managers and the appropriate Trade Union representatives, assisted by HR Services. Statutory timescales for consultation will be observed depending on the numbers of staff affected.

6. Consultation with Employees

In addition to formal consultation with the recognised Trade Union(s) the Council will also inform and consult with any individual employees directly affected by the proposals that may result in redundancies and/or changes to roles. All employees potentially affected by redundancy will be considered to be 'At Risk' will be advised accordingly and will be asked to complete a form setting out their key skills, knowledge and experience. (see 'redeployment' below).

At the commencement of formal consultation employees will be issued with written information concerning the proposal that affects them. Where the proposal involves

a restructure with revised posts as well as an overall reduction in posts, those employee affected will be issued with details of the revised structure, job descriptions and person specifications.

Any employees absent due to long term sickness absence or maternity **must** be consulted consistently with other employees affected by the redundancy proposals.

Employees who are subject to consultation regarding redundancy proposals will be given details of the value of their potential statutory redundancy pay and the value of any such compensation for redundancy as may be provided for in the Council's redundancy provisions prevailing at the time. Where an employee would be eligible to receive their pension in the event of redundancy a quotation of pension entitlements will be provided at the earliest opportunity during the consultation process.

Managers will be responsible for consultation with their own employees, supported by HR Services. During the consultation period employees/trade union representatives will have the opportunity to make written or verbal submissions regarding the proposals. .

A trade union representative or colleague may accompany employees to any formal meetings held as part of the individual consultation process.

Any comments, ideas or suggestions made by employees and/or trade unions must be given due consideration before any final decision is made. If, arising from the consultation, there are viable proposals that materially change the proposal the consultation period should be extended to re-consult on the revised proposal. If any such proposal removes the need for redundancies then all 'at risk' employees will be informed in writing and will no longer be at risk. Any counter-proposals will be fed back through the corporate approval process (e.g. Cabinet) for consideration before a final decision is made.

7. Re-deployment to Suitable Alternative Employment.

Once an employee has been placed 'at risk' HR Services will monitor all Council vacancies with a view to identifying any post(s) which may be 'suitable' for the employee according to the definition of 'suitable alternative employment' described above. An 'at risk' employee will be automatically considered for any vacancy across the Council where they are able to meet the essential criteria for the post, or would do so within a short period of time, and the post would be regarded as 'suitable alternative employment' according to the definitions given above. Subject to agreement with the relevant Head of Service and Trade Union representative the employee can be directly offered the post.

An employee who disputes the 'suitability' of a given role should write to HR services setting out the reasons why they feel the offered post is not suitable. Any such submission will be duly considered. Where it is agreed that the post is not suitable and the objection is reasonable under the circumstances HR services will continue to explore other alternative roles and proceed with the issue of notice where applicable.

Where the submission is not deemed to be reasonable the offer will remain and, should the employee then refuse it they will be deemed to have resigned and no redundancy payment will be made.

8. Timescales for Redundancy Processes

The Council will adhere to the statutory timescales for redundancy consultation which are currently 30 days for 20 to 99 affected employees and 45 days where 100 or more redundancies are contemplated. These timescales may be extended at the manager's discretion depending on the circumstances.

As a matter of good practice a minimum 30 day consultation period will be applied to lower numbers of redundancies which are not specifically covered by the statutory guidelines. The same 30 day consultation period will normally be applied to restructures where consultation concerns changes to roles only rather than any redundancies.

When planning for redundancies, especially where the imperative is to achieve cost savings, managers should be aware that the projected timescales must be sufficient to accommodate the statutory consultation periods, job evaluations, time for any selection processes to take place and contractual notice periods – so ideally should plan 4 to 5 months ahead.

9. Processes for Selecting Individuals for Redundancy.

At the end of the consultation period (and any amendments to the proposals) there may be a need to undertake a selection process from the pool of staff placed at risk by the proposal in order to identify the specific individual(s) to be made redundant. Selection for redundancy can occur as follows:

- Where there is a decision to delete a particular service requirement this will, in most cases automatically select the employee(s) undertaking that particular service.
- Where there are reductions proposed from posts of the same type – willing volunteers may be sought or there may be a need for a formal selection process to determine who stays in post and who would be made redundant.

A formal selection process will involve consideration of skills, knowledge, experience in the role matched against the job description and person specification for the role. Sickness records (unrelated to disability or maternity) and disciplinary records may also be taken into account. Selection will be through the use of tests, interviews or written submissions as appropriate to the role. Similarly, a selection process may be undertaken if there are too many volunteers for voluntary redundancy. Anyone who has not secured employment through this process will be issued with formal notice of redundancy. Similarly anyone who is successful in securing employment will also be notified of the outcome in writing.

If any employee has a disability which would make it difficult for them to participate equally in the selection process the Council will seek to mitigate any disadvantage on disability grounds and make any such reasonable adjustments as may be necessary.

10. Restructuring and Selection.

Restructuring of a service may result in an overall reduction in the number of posts and/or changes to roles. All of the individuals affected by the proposals will be placed 'at risk' and a selection process, as described above, will be used to determine whether employees can simply be directly assimilated into roles within the revised structure or whether there will need to be a competitive interview to determine who will be appointed to a role within the revised structure and who will be made redundant.

Direct assimilation will occur where the duties of the post in the new structure are substantially the same as the role currently undertaken by an individual.

Where there is no net reduction in posts arising from a restructure employees will effectively be offered direct assimilation into a role that is substantially the same or will be subject to a selection process to redeploy into suitable alternative roles within the structure.

11. Pay Protection

The Council will offer pay protection to an employee accepting 'suitable alternative employment' where the grade for the new post is up to two grades lower than the grade of their previous post. Pay protection will be frozen until such time as the employee's rate of pay in the new role catches up with the rate (spinal column point) they were paid in their previous role; **or will last for a maximum period of 36 months**. Thereafter the employee will receive payment at the top of the new pay scale only.

Pay protection will be funded by the service making the redundancy.

12. Notice of Redundancy

Where, despite the above selection processes, an employee has been unsuccessful in securing a role HR Services will issue formal notice of redundancy in accordance with the notice periods specified within the employee's contract of employment.

The notice letter will be accompanied by:

- a copy of their finalised redundancy and pension figures

- information on their right to appeal against their selection for redundancy

As a general rule all employees will be expected to work for the full duration of their notice periods. However, in exceptional circumstances there may be occasions where it may be more appropriate for the employee not to work the notice period in which case the council reserves the right to enter into discussions with the potential to offer pay in lieu of notice or garden leave as an alternative.

If an employee finds new employment during their period of notice (excluding another local authority) and their new employer wants them to start prior to the end of their notice period with the Council, the employee should write to their Head of Service asking to be released early. The Head of Service will decide whether the employee can be released early, if so the employee would be able to leave and still be entitled to their redundancy pay.

Note: If moving to another authority the individual should be aware that they will need to have a one month gap if they are intending to take the redundancy payment. The alternative is to go to the new authority and gain continuous service.

13. Appeals against Selection for Redundancy

An employee who has been issued with notice of dismissal on grounds of compulsory redundancy has the right to appeal against this decision.

Appeals should be made in writing to the Head of HR Services, within 5 working days of receipt of their notice letter, stating the reason for appeal.

An appeal meeting will be arranged usually within 10 working days of the letter of appeal being received, but without unreasonable delay. The appeal will be heard by a senior manager in accordance with the local Scheme of Delegations. The employee will have the right to be accompanied by a Trade Union representative or a colleague.

During the appeal process, the contractual period of notice will continue to run from the original date of notification. The meeting may be adjourned to allow the person

hearing the appeal to undertake any investigation required, the length of adjournment will be agreed during the meeting and will be kept to a minimum.

If the appeal is unsuccessful and the redundancy decision is confirmed, employment will end on the date specified in the original notification. If the appeal is upheld, the outcome will depend upon the circumstances of the case. Nevertheless the employee will be informed of the outcome in writing.

14. Rights Whilst Under Notice

Once notice of redundancy has been issued to any employee they will be entitled to:

- Reasonable paid time off to attend job interviews/look for work – by agreement with their manager
- Reasonable paid time off to attend training – by agreement with their manager
- Information on any vacancies across the Authority that they may wish to apply for. Where there are vacancies in the Council that do not meet the definition of 'suitable alternative employment' employees under notice of redundancy are free to apply for these on a competitive basis.

15. Redundancy Payments

Employees will receive redundancy pay in accordance with the statutory redundancy entitlements and qualifying conditions prevailing at the time.

The Council offers additional discretionary compensation for redundancy. To qualify, employees must have 3 years continuous Local Government Service with the Council (including TUPE'd service) and be a member of the LGPS at the time consultation begins. Note: discretionary compensation for redundancy is not a contractual right and the provision may be subject to change at any time at the discretion of the Council.

16. Trial Period

Where an employee is assimilated into 'suitable alternative employment' (to a role that is substantially different from what they did before) they will be offered the opportunity to undertake the role on a trial basis for up to 4 weeks. The trial period

may be extended further by mutual agreement dependent on the type, level and complexity of the job and the training involved. A notice period may run concurrently with any trial period. If the trial period is longer than any already notified period of notice then the notice period may be extended to the end of the trial period.

All training costs during the trial period will be borne by the service area declaring the redundancy. At the end of the trial period the employee may still be entitled to a redundancy payment if the alternative job is deemed unsuitable by either side.

If an employee does not wish to undertake a trial period they will be formally appointed to the post from the outset.

OTHER SOURCES OF INFORMATION

1. Related Internal Policies

- Retirement Policy

2. Trade Union

There are several trade unions working within Stafford Borough Council and Cannock Chase District Council who can assist with this policy. It is recommended that a trade union representative be contacted at the earliest possible stage so that appropriate advice, guidance and support can be offered to the employee.

3. HR Services

HR Services can provide supplementary information and assist with the application of this policy. It is recommended that a member of HR Services be contacted at the earliest possible stage so that appropriate advice, guidance and support can be offered to all parties involved with the process.

4. External Sources

Further advice regarding the redundancy process can be found on the following websites:

ACAS: www.acas.org.uk

Gov.co.uk <https://www.gov.uk/>

Please note that the Council takes no responsibility or liability for any material produced by or contained in external sites or for any advice or services given by external organisations. It is the responsibility solely of each person to decide whether or not they use any such material, advice or service.

LEGISLATIVE FRAMEWORK

- Employment Rights Act 1996
- Equality Act 2010
- Data Protection Act 1998
- Trade Union and Labour Relations (consolidation) Act 1992
- Fixed Term Employees (prevention of less favourable treatment) Regulations 2002)
- Redundancy Payments (Continuity of Employment in Local Government) Modification Order 1999
- The Local Government (Early Termination of Employment) (Discretionary Compensation) (England and Wales) Regulations 2006

REVIEW STATEMENT

Save as required by law, the Council reserves the right to periodically review this policy. Any amendment to the policy will be subject to consultation with the appropriate unions.

EQUALITY AND DIVERSITY CONSIDERATIONS

All employees are responsible for ensuring that they operate the procedure in line with the Council's Equality and Diversity policy to provide equality of opportunity for all employees.

The Council is committed to ensuring that no-one is discriminated against, disadvantaged or given preference, through membership of any particular group, particularly based on age, disability, gender reassignment, race, religion or belief, sex, sexual orientation, marriage and civil partnership and pregnancy and maternity. This

procedure will be applied equally to all employees irrespective of their background or membership of a particular group.

APPENDICES

None

This policy document can be provided in Braille, on audio cassette tape/disk, large print and in the following languages on request to Cannock Chase Council on 01543 462621 and Stafford Borough Council on 01785 619000

Bengali, Gujarati, Chinese, Urdu, Punjabi and Polish.

আপনি অনুরোধ জানালে এই কাগজপত্রগুলোর বাংলা অনুবাদের ব্যবস্থা করা যেতে পারে।

如有要求的話我們可將此文件翻譯成中文

વિનંતી કરવાથી તમને આ દસ્તાવેજ તમારી માતૃભાષામાં મળી શકે છે.

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یہ دستاویز آپ کی زبان میں، گزارش پر دستیاب کی جاسکتی ہے۔

Ten dokument jest dostępny na żądanie w twoim języku

? = **01543 462621**

? = **01785 619000**

DOCUMENT CONTROL		
Title	Restructuring and Redundancy policy	
Owner		
Amendment Dates		
Version / Approval	Author	Date
Draft		
Final		