

Last reviewed: August 2019

Purpose and scope of this policy

Integrity Action is committed to retaining its staff where possible to ensure security of employment for its employees and will always try to avoid compulsory redundancies. However, sometimes they may be necessary, for example when the volume or methods of working change.

The purpose of this policy is to ensure that when redundancies become necessary:

- all affected employees are clearly informed and are treated fairly, reasonably and without discrimination throughout the redundancy process;
- all other employees are kept informed and understand the process; and
- procedures on redundancy are applied consistently, fairly and sympathetically.

This policy will be reviewed from time to time to ensure that it continues to reflect our legal obligations as an employer and Integrity Action's business needs. It assumes that less than 20 employees are affected by redundancy as we have no plans to increase the size of the organisation to a level where this will be possible.

The dismissal of an employee on grounds of unsuitability or inefficiency does not constitute redundancy and would follow disciplinary procedures.

This policy applies to all employees but does not form part of the contract of employment and may be changed by the employer at any time. This policy does not apply to agency workers, consultants or self-employed contractors.

What is redundancy?

Redundancy is a form of dismissal and may arise where the requirement for employees to undertake work of a particular kind or in a particular location has ceased or diminished.

Examples of potential redundancy situations might be where we:

- can no longer employ one or more members of staff due to reduced funds; or
- decide to restructure the way things are undertaken, such that some posts are no longer required.

Employees who have two years' service or more, including those on a fixed term contract, have the right to not be unfairly dismissed on the grounds of redundancy (or any other unfair grounds) and they have the right to statutory redundancy pay.

Minimising the need for redundancies

We will make efforts to avoid or minimise the need for redundancies in the first place. For example by:

- reducing the use of temporary employees/consultants;
- reorganising work rather than recruiting additional employees;
- making savings in expenditure other than staffing costs;

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- freezing pay;
- considering short-time working, job sharing or other flexible working arrangements.

Informal consultation

Integrity Action will aim to warn all employees that there is an impending situation which may result in redundancies. They will meet with all employees to advise of the reasons for this and the number of jobs at risk of redundancy.

The employer will advise of measures being looked at to avoid or reduce the number of redundancies and will ask all employees for suggestions.

Redundancy policy and procedures

This informal consultation will take place at least 5 working days before any formal consultation process begins.

Formal consultation

Staff at risk of redundancy will be formally consulted ideally both face to face and by letter.

The initial consultation meeting will cover:

- reasons for the proposed redundancies;
- numbers and descriptions of the staff at risk of redundancy;
- discussion about how the effects of the redundancy can be minimised including suggestions from all staff;
- the proposed method of selecting staff who may be dismissed;
- the proposed method of carrying out dismissals including the period over which dismissals are to take effect;
- proposals for voluntary redundancies, if any;
- the proposed method of calculating redundancy payments.

Following this meeting Integrity Action will consider the suggestions and criticisms made by employees. Further consultation meetings may be held if required.

Employees may be accompanied by a trade union representative or a colleague in each consultation meeting.

The consultation period starts on the day staff are formally told (by letter and ideally face to face) that they are at risk of redundancy. It will last for at least 10 working days before any notice of redundancy is served. The final decision will be confirmed by letter and ideally face to face.

Selection for redundancy

Integrity Action will select staff for redundancy in an objective, fair and reasonable manner based on the skills and competencies required for our business.

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Where a pool of employees are at risk of redundancy a selection matrix will be agreed containing a number of separate and objective criteria which as a whole will be non-discriminatory including:

- Performance and experience
- Disciplinary record
- Attendance record (disregarding an absence associated with a protected characteristic, maternity/paternity/adoption/family responsibilities and one long bout of illness)
- Skills and training
- Length of service

We will not discriminate directly or indirectly on grounds of race, colour, nationality, ethnic or national origin, religion or belief, disability, gender, sexual orientation, marital or civil partner status, gender reassignment or age.

Part-time employees and those working under fixed-term contracts will not be treated differently to comparable permanent, full-time employees.

Notice period

Following the consultation, staff affected by redundancy will be given written notice in accordance with the notice period in their contract of employment. During the notice period staff are expected to work as normal.

Time off to look for new work or training

Individuals who are under notice of redundancy will be entitled to a reasonable amount of paid time off to look for work or to arrange training. This must be agreed in advance with their manager.

Redundancy payments

Statutory redundancy payments will be calculated as laid down in legislation. The amount of redundancy depends on the employee's length of service, age and weekly pay. Integrity Action does not provide for redundancy pay over and above the statutory entitlement. For the current formula please see <https://www.gov.uk/calculate-employee-redundancy-pay> or speak to the Head of Finance and Resources.

Holiday payments

Holiday entitlement is calculated to the end of the notice period/lieu of notice period. Any payment is subject to tax and national insurance contributions.

Appeals

Affected staff will have the right to appeal to someone who was not directly involved in the redundancy process and will be informed of this as part of the consultation process. This could include the CEO and members of the Board.

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Data security

The employer processes personal data collected when managing redundancy in accordance with its data protection policy.

In particular, data collected as part of the redundancy procedure is held securely and accessed by, and disclosed to, individuals only for the purposes of managing redundancy, conducting redundancy consultation and selecting employees for redundancy.

Inappropriate access or disclosure of employee data constitutes a data breach and should be reported in accordance with the employer's data protection policy immediately.

Integrity Action will aim to keep all staff informed about general events but not about personal and confidential information.

Assistance

Individuals who are subject to the provisions of this policy may seek further advice and assistance from the Head of Finance and Resources.

They may also seek advice from our insurance hotline (quoting Scrutton Bland policy number TS5/6944530).

- Counselling 0344 893 9012 or
- Legal advice 0344 893 0859

Recommended resources

- <https://www.gov.uk/redundant-your-rights>
- <https://www.acas.org.uk/your-rights-during-redundancy>