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MANAGING ORGANISATIONAL CHANGE



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MANAGING ORGANISATIONAL CHANGE

1. OVERALL CONTEXT

1.1 This policy and procedure provides managers with a structured framework that will enable them to manage the process of change affecting the organisation in a way which

- Minimises disruption to services
- Avoids the need to make redundancies, wherever possible
- Reduces uncertainty and anxiety among the workforce
- Ensures equality and fairness in the treatment of affected staff
- Ensures the Council complies with minimum statutory requirements and recognised good practice
- Achieves a workforce which reflects the diverse makeup of the community

1.2 LEGAL CONTEXT

The framework for managing organisational changes takes account of the legislation concerning redundancy handling: the Trade Union and Labour Relations (Consolidation) Act 1992, Collective Redundancies and Transfer of Undertakings (Protection of Employment) (Amendment) Regulations 1995 SI 1995/2587, Collective Redundancies and Transfer of Undertakings (Protection of Employment) (Amendment) Regulations 1999 SI 1999/1925, the Employment Rights Act 1996, the Employment Act 2002. It also takes account of the legislation specifically relating to employees in the local government service: the Redundancy Payments (Continuity of Employment in Local Government) (Modification) Order 1999 SI 1999/2277 (as amended), Local Government Pension Regulations 1997 (as amended), the Local Government (Early Termination of Employment) (Discretionary Compensation (England and Wales) Regulations 2000 SI 2000/1410 (as amended). The framework also has regard to specific legislation and guidance relating to employees based in schools: the Education Act 2002, the School Staffing (England) Regulations 2003 and DfES Staffing Guidance under section 35(8) of the Education Act 2002.

1.3 ADVERSE IMPACT ANALYSIS

The Council wishes to ensure that its policies and procedures do not impact unfairly on employees with reference to race, sex, religion or belief, age, sexual orientation or disability. Managers are therefore required to ensure their application of this policy and procedure does not have this adverse impact, for example where redundant employees fall predominantly into particular groups.

1.4 EMPLOYEES COVERED BY THIS POLICY AND PROCEDURE

This policy and procedure applies to all permanent employees covered by the NJC conditions of service for Local Government Services (including support staff in schools) or the JNC conditions of service for Chief Officers in Local Authorities.

The policy also covers temporary employees covered by those conditions of service (such as employees on fixed term contracts) who have 12 months' continuous employment with the Council by the date of implementation of the organisational change.

1.5 EMPLOYEES NOT COVERED BY THIS POLICY AND PROCEDURE

Teachers, whether employed in schools or other units.

Support staff in Foundation and Voluntary Aided Schools.

Temporary employees who have less than 12 months' continuous employment with the Council by the date of implementation of the organisational change.

2. OUTLINE OF POLICY AND PROCEDURE

2.1 The procedure for managing change covers the following:

- Planning a reorganisation
- Considering whether there is a genuine redundancy
- Consulting employees and trade unions
- Notification to the Department of Trade and Industry
- Choosing employees for jobs in the new structure
- Appeal
- Alternative employment

2.2. In this procedure a “reorganisation” is defined as a restructuring of staffing within a work area which results in :-

- (a) changes, considered significant by the manager, to the duties or grades of the post(s) concerned (a “restructuring exercise”); and/or
- (b) a reduction in the number of posts, for example as a result of an establishment closing down or a complete function ceasing to operate (a “downsizing exercise”)

2.3 The following situations will not be treated as a reorganisation :-

- (a) the creation of new posts within a work area but no other staffing changes are planned or are expected to be caused by the creation of the new posts
- (b) variations are proposed to an employee’s or to a number of employees’ job descriptions which the manager does not consider significant
- (c) changes are proposed to line management resulting in changes to reporting lines only.

PROCEDURE

3. PLANNING A REORGANISATION

3.1 At the outset the manager should prepare a plan for the proposed reorganisation. This will take account of the following:

- The reasons for the required change, ie external factors, legislation, efficiency gains and expected improvements to the service
- The reasonable options available and the benefits of each stating the preferred solution and rationale
- What the proposed reorganisation will look like – how many jobs will be required in the new structure and at what level? (prepare a proposed organisation chart if this will help)
- Whether the service can be delivered through the existing job descriptions or with very little change to the job descriptions
- Whether a more fundamental review is proposed – If so are new posts required, with new job descriptions?
- Whether there are likely to be any redundancies caused by the proposals
- The costs of the reorganisation (the potential loss of skills and experience as well as financial)

3.2 The manager will also need to:

- Have drafted proposed job descriptions and person specifications for any new posts or for any existing posts which are to be changed significantly.
- Get the Council's job evaluator to provisionally evaluate any proposed new job descriptions.
- Decide who will manage the reorganisation and make sure that person is familiar with the Council's policy on handling reorganisations and is trained in selection methods.
- Consider what steps can be taken to avoid the need for redundancies
- Identify the work area(s) and postholder(s) affected by the proposed reorganisation
- Consider whether existing staff will be eligible to be assimilated to or to be offered ring-fenced interviews for any proposed new posts
- Carry out a risk assessment of the impact of the proposals
- Prepare a draft timetable for consulting employees and trade unions and carrying out the restructure. (This should take account of the minimum statutory consultation period, group and individual meetings with employees, the time required for finalising job descriptions and person specifications and having job descriptions evaluated, ringfenced interviews and the greater of statutory or contractual notice if it becomes necessary to make anyone redundant.)
- Inform the Director of Finance of potential redundancy/redundancy retirements as these will require his approval
- Check Standing Orders and delegated powers under the Constitution to

see if Committee or Executive approval is required for any changes that are proposed

- Take advice from their Human Resources Advisor on the HR implications of the proposals
- Prepare a communication strategy, including:
 - information to staff (preferably by several mediums), ie written outline of proposals and the rationale, group meetings with employees and with individuals.
 - Communication with trade unions, ie formal (and informal) consultation letters and meetings

Prepare proposals for consultation with trade unions for how the selection criteria will be defined, what respective weighting will be given to them and how employees will be assessed against those criteria in connection with the selection of staff for jobs in the new structure

Remember, any reorganisation will take time to implement and must satisfy certain statutory requirements for the purpose of consultation.

As a general rule reorganisations normally start at the top of the organisation and work down level by level.

4. CONSIDERING WHETHER THERE IS A REDUNDANCY

4.1 It will be necessary to assess if the proposals could mean making someone redundant. A redundancy will arise if an employee is dismissed wholly or mainly due to the fact that:

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

5. CONSULTING EMPLOYEES AND TRADE UNIONS

5.1 Any proposals for change affecting the organisation usually produces a degree of uncertainty for employees about how the changes will affect their future role or job security. To reduce the level of anxiety and disruption that this could cause, consultation should begin as early as possible and in any event before dismissal notices are sent out. This should normally be no less than 2 weeks before to allow the consultation process in 5.2 to be carried out.

5.2 When consulting employees the manager should be prepared to:

- Be open with staff about any proposals for a redundancy as this will help to alleviate any fears and reduce rumour.

- To listen and take account of what employees have to say, wherever possible.
- Explain why the reorganisation is being proposed.
- Prepare proposed structure charts where this will help to explain the proposals
- Consult employees on any changes affecting their job description
Consult employee over the wording of proposed job descriptions and person specifications
- Consult employees on assimilation and ringfenced arrangements and put this in writing
- Hold meetings with groups of employees and individual meetings with employees who are particularly affected or who request a meeting
- Involve trade union representatives/work colleagues in meetings where employees request this
- Send written communication to employees about the proposals
- Give general information about redundancy compensation packages

Managers should not issue details of proposals in which it is obvious that the post(s) of specific individual employees are being deleted, without first speaking to the employee(s).

Employees who are temporarily away from work on extended leave should also be told of the reorganisation (ie those of maternity leave, secondment, filling temporary posts elsewhere or those on long term sick leave), as should temporary employees who would not otherwise be covered by this policy and procedure. Keep them up-to-date with any changes as they occur and allowing them the opportunity to participate in the consultation process.

If the manager does not consult employees who are likely to be dismissed this may put the Council at risk of a successful unfair dismissal claim.

Where managers are seriously considering the possibility of deleting the post of an employee (where there are less than 20 employees in total whose posts are being considered for deletion), statutory dismissal procedures require that managers must set out in writing to the employee the reasons for the proposals and invite the employee to a meeting to discuss the matter. These procedures also apply where managers have provisionally selected an employee for redundancy from within a selection pool (where there are less than 20 employees in total who have been provisionally selected for redundancy). In this situation the procedures require the managers to provide in writing to the employee details of his/her individual assessment and to invite the employee to a meeting to discuss the matter. Where employees agree, it will be permissible to hold group meetings. At this meeting the manager should give the employee(s) an opportunity to respond to the proposals/ assessment before making a decision. Such a meeting will be necessary, even where it is envisaged that employees will obtain a new post arising within the reorganisation or be redeployed without notice of dismissal being issued. The employee may be accompanied at this meeting by a trade union representative or work colleague.

The statutory dismissal procedure requires that employees be sent the written reasons for the proposals/ written details of the assessment sufficiently in advance of this meeting to allow the employee a reasonable opportunity to consider this information prior to the meeting.

5.3 Statutory consultation with trade unions

Where it is proposed to dismiss as redundant 20 or more employees within a period of 90 days or less, there are specific statutory time limits for starting consultation with trade unions that must be followed. These time limits relate to each Service Unit. Care should be taken to ensure that Service Units monitor the numbers which might be affected at any one time, so that consultation can begin at the appropriate time. Consultation should begin at the earliest opportunity but in any event no later than:

<u>No of employees affected</u>	<u>Commencement of consultation</u>
20 – 99 employees	30 days before the first dismissal occurs
100 or more employees	90 days before the first dismissal occurs

For the purposes of this part of the procedure and section 6 a dismissal for redundancy will occur when one of the following situations occurs and therefore the first dismissal will occur when one of the following situations first occurs :-

- (i) an employee is given notice of dismissal ,
- (ii) an employee starts in a new post arising out of the reorganisation, or
- (iii) an employee starts in a new post to which s/he has been redeployed

The statutory consultation must be initiated in writing to the Branch Secretary of each of the recognised trade unions for the group of employees affected, whether or not those vulnerable to redundancy are trade union members.

There are no statutory requirements for consultation with trade unions on reorganisations leading to the dismissal for redundancy of 1-19 employees. However, it is accepted good practice that employees and trade unions should always be consulted on any proposals and in such cases the trade unions should be consulted at an early stage. Consultation should relate not only to those who are likely to be dismissed but to those who may be affected by the measures taken in connection with those dismissals.

Where there is a legal requirement to consult the trade unions, the following information should be sent to the Branch Secretary:

- The reasons for the organisational change
- The number of employees who may be dismissed and the type of work

they carry out, together with the total number of employees who are carrying out that type of work

- The way the manager plans to choose the employees who may be dismissed
- The way the manager plans to dismiss the staff chosen and the time period involved
- The proposed method of calculating the amount of any redundancy payments

Whether or not there is a legal requirement to consult the trade unions managers should also provide the appropriate trade union representatives for the purposes of consultation copies of the documentation relating to the reorganisation set out in paragraphs 3.1 and 3.2.

Although there is no set period for collective consultation on redundancies of less than 20 it is recommended that normally managers allow a minimum consultation period of 30 days, although there may be circumstances where a shorter consultation period will be appropriate.

It is emphasised that trade unions should be approached for the purpose of consultation when managers are making a **proposal** to delete posts not when a final decision has been made. Managers should allow enough time for the union to prepare their response. Where necessary, arrange to meet the trade unions to discuss the proposals.

The manager should aim to reach agreement in the discussions. Consider any suggestions the trade unions make on ways of avoiding or reducing the number of employees that may be dismissed and mitigating the consequences of those dismissals. The manager should reply in writing to any suggestions put forward by the trade unions. If it is decided not to agree to any of their proposals, explain why.

There is also a statutory requirement to consult trade unions where the manager is proposing to change terms and conditions by dismissing and offering a new contract of employment where at least 20 employees are affected in a 90 day period.

6. NOTIFICATION TO THE DEPARTMENT OF TRADE AND INDUSTRY

- 6.1 Where it is proposed to dismiss as redundant 20 or more employees within a period of 90 days or less, the DTI must be notified, using Form HR1 below. These time limits relate to each Service Unit and are the same as for commencing consultation with the Unions.

The notice must be at least

30 days in advance of the first of these dismissals, if 20 – 99 employees are proposed to be dismissed as redundant

90 days in advance of the first of the dismissals if 100 or more employees are

proposed to be dismissed as redundant.

A copy of the HR1 form should also be sent to the Branch Secretary of each of the recognised trade unions for the group of staff affected, whether or not those vulnerable to redundancy are trade union members.

Form HR1



Hr1.pdf

7. APPEAL

- 7.1 Employees should be advised of their right of appeal against any decision to delete their post or to select them for redundancy from within a selection pool. A manager who was not involved in these decisions should consider the appeal (“the appeal meeting manager”) and must invite the employee to a meeting to discuss the appeal. This manager should, as far as is reasonably practicable, be more senior than the manager who made the decision appealed against. Appeals should still be considered after employment has ended. The appeal meeting need not take place before the employee is given notice of dismissal.
- 7.2 Any appeals against such decisions must be in writing and must be clear and specific about the grounds of appeal. The grounds for appeal must be one or more of the following:-
- (a) there was a failure to follow this procedure which had a material effect on the decision
 - (b) the decision- maker came to a conclusion on a material point of fact which no reasonable person could have come to.
 - (c) the decision to delete the post/ select the employee for redundancy was one that would not have been reached by any reasonable person
 - (d) there is information which the employee wishes to introduce for the first time at the appeal which the employee could not reasonably have provided to the decision maker by the time the decision was made and the absence of which had a material effect on the decision.

The right of appeal may be disallowed where the letter of appeal does not meet these requirements. The appeal must be received by the manager who made the decision appealed against within 5 working days of receipt by the employee of the letter confirming the decision. The appeal meeting will not be a full reconsideration of the decision. It will only address the specific grounds of appeal set out in the employee’s letter of appeal.

- 7.2 The appeal meeting manager will have the authority to:-

(a) confirm the decision to delete/ the decision to select for redundancy

(b) overturn the decision to delete/ the decision to select for redundancy

It will only be permissible to overturn the decision to delete/the decision to select for redundancy if the appeal meeting manager is satisfied that it would be reasonably practicable to implement such an appeal decision, having regard in particular to the impact on service delivery and other staff.

8.. CHOOSING EMPLOYEES FOR JOBS IN THE NEW STRUCTURE

8.1 At least one person on the selection panel should be trained in the Council's recruitment and selection procedures.

Selection of employees should be on merit.

Any new posts which are unaffected by a manager's assimilation or ringfencing proposals to give priority to particular staff affected by the restructure may be subject to open competition in the normal way.

8.2 The selection method

The selection method chosen should be clear, objective and precisely defined. Managers should ensure that the selection of any method does not adversely discriminate against employees on grounds of race, sex, disability, age, sexual orientation, religion, belief or trade union membership.

8.3 Letting the employee know

The employee should be given written details of the final job description and person specifications for any post in the new structure for which the manager has decided they will be interviewed. Employee should be informed when the interviews and assessments will take place. The employee will also need to know whether some criteria are more important in the overall assessment.

The employee should also be informed if they are required to submit a written application.

Employees should be given a reasonable amount of time to prepare for the selection process.

8.4 Selection decision and feedback

Tell employees the decision of the selection panel as soon as possible and confirm this in writing. Offer to give feedback to unsuccessful employees and advise them of the consequence, ie whether there are any other ringfenced processes for them to participate in or whether the decision means that they will now be made redundant.

Where there are no other suitable jobs in the ringfence, the manager will need to issue a written notice of redundancy to the employee. In this case the manager

will be responsible for commencing the redeployment process to look for suitable alternative employment during the notice period and advising the employee of this.

Where the employee is successful prepare any necessary HR documents, ie issuing new contracts, payroll administration.

9. ALTERNATIVE EMPLOYMENT

- 9.1 Employees who are under notice of dismissal because of redundancy, due to no suitable job being offered through an assimilation or ringfenced process should be offered support to find alternative employment through the Council's redeployment process up to their last working day of employment with the Council.

10. REDUNDANCY AND PENSION PAYMENT

10.1 Employment under 50 years of age

Employees under 50 years of age who have at least 2 years continuous local government or related service will be eligible for a redundancy payment based on age and length of qualifying service. In order to qualify for a redundancy payment the dismissal must satisfy the statutory test of redundancy set out in paragraph 4 of this procedure. Where a genuine redundancy does not exist it will not be possible to make a redundancy payment even if the employee is leaving the employment of the Council as a result of the restructure.

Employees who accept an offer of alternative employment made before their old contract ends, where the new contract will start within 4 weeks of their old contract ending, will not be entitled to a redundancy payment (subject to their statutory right to a trial period (see paragraph 8 of attached guidance)). Where the employee refuses such an offer s/he will also lose the right to a redundancy payment if the offer is of suitable alternative employment and the refusal was unreasonable. These provisions apply where the offer is made by the Council or by any other body covered by the Redundancy Payments (Continuity of Employment in Local Government etc) (Modification) Order 1999 (as amended).

Service does not have to be continuous provided that the break does not exceed 7 consecutive days, running from Sunday to Saturday (except where there is a redundancy and a new job is taken up as a result of an offer made by the employer before the old job ends, in which case the break can be up to 4 weeks). Previous service will not count, for the purpose of a redundancy payment, if the employee has already received a redundancy payment for that period.

The Council's policy is to exercise its discretion to use actual average weekly pay (rather than the statutory ceiling on the amount of a week's pay) for the calculation of redundancy payments

10.2 Employees aged 50 and over

In addition to the employee being potentially eligible for a redundancy payment there may be an early release of pension benefits in accordance with the Council's policy where the employee leaves the Council's service and is aged 50 or over.

Employees should be given estimates of the likely compensation package that will be available to them. This should be done following completion of the consultation stage or when an employee makes a request for this information.

MANAGEMENT OF ORGANISATIONAL CHANGE

MANAGEMENT GUIDANCE

As an organisation there will sometimes be a need to respond to external and internal pressures to change the way the Council manages the service provision. As a consequence it may be necessary for managers to review the size and most efficient use of the workforce. Careful planning of this process can help to decide existing and future staffing needs and avoid creating uncertainty among the workforce which could lead to a reduction in performance.

The following management guidance on the management of change should be read in conjunction with the formal policy and procedure:

1. Measures for minimising or avoiding redundancies

1.1 Wherever possible managers should look for ways of avoiding redundancies but in a way which will ensure that the balance of skills and experience in the remaining workforce is appropriate to the Council's future service needs. With this in mind, the following is a list of recommended options for consideration in avoiding redundancies:

- Natural wastage
- Restrictions on recruitment
- Reduction in overtime
- Termination of casual and agency staff and of temporary staff with less than 12 months continuous employment with the Council
- Alternative working arrangements, eg part-time, job share,
- Voluntary reduction of hours
- Redeployment of staff to other jobs
- Seeking volunteers for redundancy/early retirement where this is not likely to have an adverse impact on the finance and performance of the service

2. The selection process

Establishing a selection pool

2.1 Where an establishment is closing down or a complete function is ceasing to operate or specific posts are redundant, those employees directly affected will be included in the selection pool. If there are other employees who do similar work to or whose skills are interchangeable with the directly affected employees the manager will need to have considered whether to include the other employees in the selection pool. If the manager decides to exclude the other employees from the selection pool s/he will need to have valid reasons for this decision and to record what those reasons are.

Downsizing exercises

- 2.2. Where the reorganisation involves or includes a selection for redundancy of staff from within a pool for selection then all the employees within the pool will automatically be considered for the posts within the pool that will remain after completion of the reorganisation.

Assimilation and ringfencing – restructuring exercises

- 2.4 The process requires careful comparison of the job descriptions for the old structure with the job descriptions of posts in the new structure to see if there is a degree of similarity between the two. Where job descriptions of existing posts are out of date, these should be re-written and where necessary evaluated to reflect the current duties and then the comparison should take place.
- 2.3 The manager should ensure that staff are treated fairly in any selection methods as the process may be subject to examination if an employee decides to make a complaint to an Employment Tribunal.

Assimilation (slotting-in)

- 2.5 Assimilation occurs when:

- The new and old posts are fundamentally the same. (This will normally be the case where at least 70% of the duties and responsibilities in the new post's job description are contained in the old post's job description. There may be cases where assimilation would not occur although the 70% threshold is reached, where for example a key duty of the new post's/job description is not contained in the old post's job description.)
- The grade of the new and old posts is the same.

- 2.6 In the above circumstances:

- if there are the same number of posts (or more) in the new structure as employees who have comparable claims on the post(s) all those employees should be offered the new post(s) without the need for an interview.
- If there are fewer posts in the new structure than employees who have comparable claims on the post(s) those employees will have to be interviewed to decide which of them gets the job(s).

Ringfencing

- 2.7 Ringfencing will occur when:

- The new and old posts are similar but not fundamentally the same (This will normally be the case where at least 30% but less than 70% of the duties and responsibilities in the new post's job description are contained in the old post's job description)

- There is no more than one grade difference between the new and the old posts

In the above circumstances all employees with comparable claims on the post should be invited to participate in a ringfenced interview for the post i.e. they have the opportunity to be interviewed for the post ahead of other redeployees.

- 2.8 For assistance in assessing the degree of match contact the Council's lead job evaluator on Ext 6182 in Human Resources & Diversity.

2.9 Fixed term or temporary contracts

The statutory dismissal procedure set out in paragraph 5.2 of the procedure to which this Guidance relates (as well as a right of appeal) will apply to employees on a fixed term contract where the employee will have 12 months service at the end of the contract and there is a serious possibility of not renewing the contract on expiry (whether because no further contract will be offered or because a contract will be offered which is different from the existing one)

2.10 Acting-up/Secondment

Employees who are seconded to a work area will not normally be considered for assimilation/ringfencing into new posts arising as a result of a reorganisation of that work area and will only be considered in this way where the reorganisation affects their substantive posts.

In deciding whether an employee is eligible for assimilation or ring-fencing only the job description of their substantive post will be considered and therefore any additional duties carried out as a result of an "acting –up" or similar arrangement will not be taken into account.

Complaints about assimilation or ringfencing

- 2.11 An employee can write to ask for a decision that s/he is not eligible to be assimilated to a post or to be offered a ring-fenced interview for a post to be reviewed if they feel that decision does not follow the managing change procedure. The review will only be carried out if the employee gives clear and specific reasons for why the decision does not follow the managing change policy.

- 2.12 The manager who made the decision will normally carry out the review in consultation with their HR Advisor or with the Council's lead job evaluator in Human Resources & Diversity (Ext 6182). The employee should be informed of the outcome of the review in writing and be given an explanation of this.

Selection criteria – restructuring exercises

- 2.13 The methods used to select employees for new posts in the reorganisation should ensure the retention of the most competent and suitable staff to enable the Council to meet its future needs. The criteria chosen as set out in the new posts' person specifications should ensure those employees selected have the necessary skills, knowledge and experience to perform the duties required. Normal recruitment practice should be used to assess whether the employee meets the new post's person specification, and accordingly candidates should be asked to participate in an interview. Other methods of testing whether the employee meets the new post's person specification such as presentations and in-tray exercises may be used. The employee's performance in their current post can be taken into account, where relevant, in assessing whether s/he meets the new post's person specification. In addition to the criteria set out in the person specification the employee's attendance and conduct record over the previous two years (or since they started employment if that period is shorter than two years) should be taken into account in deciding whether to select him/her for a new post. The employee's timekeeping record over the previous six months (or since s/he started employment if that period is shorter than six months) may also be taken into account in deciding whether to select him/her for a new post.

Selection criteria – downsizing exercises

- 2.14 The methods used to select employees for redundancy from within a selection pool should ensure the retention of the most competent and suitable staff to enable the Council to meet its future needs. The selection criteria will be the extent to which the employee meets the person specification(s) for the post(s) that will remain on completion of the downsizing exercise together with the employee's attendance and conduct record over the previous two years (or since they started employment if that period is shorter than two years). The employee's timekeeping record over the previous six months (or since s/he started employment if that period is shorter than six months) may also be taken into account in deciding whether to select him/her for a remaining post. The employee's performance in their current post should be taken into account in assessing whether s/he meets the remaining post(s) person specification. Selection can take place by interview or in exceptional circumstances by management assessment of the employees, the method of assessment to be determined by the manager conducting the reorganisation.

Assessment of the selection criteria

- 2.15 Performance in current post

Performance in current post should as far as possible be assessed objectively. It should be assessed from existing employment records, ie appraisals, supervision, work programme, measures of output or targets achieved. Where the employee's performance in their current job will be taken into account in the selection process the employee should be advised in writing prior to the selection decision what records will be relied on in assessing current job

performance.

2.16 Attendance (over the last 2 years):

It will be appropriate not to select an employee for a new post where the employee's attendance record is unacceptable. This will be the case even if the employee fully meets the new post's person specification. The acceptability of the record should be assessed by considering:

- the pattern of sickness and the reasons
- the ratio of doctor's certificated to self-certificated days
- whether any absence was due to a one off certificated illness unlikely to recur

Any industrial injury which has been fully reported and validated by the appropriate manager will not count towards calculating absence from work.

Any absences due to pregnancy related illness, antenatal care or maternity leave should not be counted for the purpose of absence.

Any absences caused by a disability as defined by the Disability Discrimination Act 1995 (as amended) should not be taken into account in assessing the employee's attendance record save where the manager has considered making and (if appropriate) has made a reasonable adjustment for the disabled employee and the employee's absences have a more than minor impact on service delivery.

To ensure fairness the attendance records used should be accurate. The employee should be given a copy of his/her attendance record for verification before selection commences.

2.17 Conduct:

Only use formal written disciplinary warnings as part of the selection process and only if they are current. The manager should not take into account warnings that have expired. It is important to ensure that this criterion does not result in the employee being penalised twice in the assessment process, eg a warning for poor timekeeping should be disregarded if the employee's poor timekeeping has already been taken into account elsewhere in the selection process.

2.18 Timekeeping

The use of this criterion relies on the existence of adequate records to support any decision made.

The employee should be advised in writing prior to the selection decision how his/her timekeeping record will be assessed.

2.19 Where an employee fails to participate in an interview or other selection

process, selection of the employee may take place by management assessment (for example by using documents and other information about the employee).

3. Notification of redundancy

- 3.1 At the earliest stage the Director of Finance must be made aware of any potential redundancy situation. The Director of Finance must give his approval before written notice of dismissal on the grounds of redundancy may be given.
- 3.2 Under the Constitution members must make the decision concerning the restructure if it would or would be likely to result in redundancies of more than 20 people.
- 3.3 Where in accordance with the statutory dismissal procedures the manager provides the employee with the reasons for the proposals to delete his/her post or with the assessment in connection with his/her provisional selection for redundancy this should preferably be done face to face as well as in writing. The employee should be given information on the redundancy procedures and likely timescales.
- 3.4 It is not advisable to give a firm date of redundancy in any letters to employees before such a date has been determined as this could be taken as a notice of dismissal. If an employee has been warned of a possible redundancy situation but has not been given a firm date, if they leave before the date, for example, of the closure of an establishment, they will not be entitled to a redundancy payment.
- 3.5 Once a firm date for redundancy has been determined the employee must be sent a written notice of dismissal. The greater of contractual or statutory notice will apply. A firm date for redundancy can be determined once the selection process has been completed, and the dates for the implementation of the new structure and the deletion of the employee's post are established.

4. Right of appeal

- 4.1 When pursuing an appeal against a decision to select him/her for redundancy save in exceptional circumstances the employee shall not be entitled to compare his/her assessment with those of other employees who were retained nor to challenge the assessments of those other employees
- 4.2 The employee must provide to the manager who made the decision appealed against at least 5 working days prior to the appeal meeting any new information raised as a ground of appeal.
- 4.3 The employee will be given reasonable written notice (normally 5 working days) of the date, time and place of the appeal meeting and of the name of the appeal meeting manager by the manager who made the decision appealed against.

- 4.4 The employee may be represented at the appeal meeting by a trade union representative or work colleague.
- 4.5 The employee and the manager who made the decision appealed against must provide each other and the appeal meeting manager with any documents to be used by them and the names of any witnesses to be called by the third working day before the appeal meeting.
- 4.6 The format of the appeal meeting will be similar to the model procedure for a disciplinary hearing set out in the Council's Disciplinary Procedure save that the employee will present his/her case first.
- 4.7 The appeal meeting manager will chair the meeting with a Human Resources or Legal Services representative present as an adviser. The appeal meeting manager's decision will be final, although an explanation of the decision will be given. S/he will be entitled to refuse to consider documentation and/or hear witnesses presented or called by the parties, which s/he considers are not relevant to the grounds of appeal.
- 4.8 The manager presenting the management case at the meeting will be entitled to introduce his/her own new information in response to any new information introduced by the employee.

5. Redeployment

- 5.1 The possible redeployment of an employee to a suitable alternative job in the Council should be explored to avoid a redundancy. Only where the employee's personal circumstances make the refusal reasonable will an employee who refuses an offer of suitable alternative employment be entitled to a redundancy payment.
- 5.2 A preferential interview should be offered to an employee who is under notice (or imminent notice) of dismissal where potentially suitable alternative employment is identified. Except where the redeployee is disabled or comes within paragraph 5.3., in order to be eligible for a preferential interview the alternative job cannot be more than one grade higher than the redeployee's old job. It is preferable that interviews are not scheduled on the same day for lower priority candidates. If this is not possible, a decision on whether or not to appoint should be taken on the redeployee before seeing other candidates.
- 5.3 An employee who is on maternity leave and whose post has been deleted or who has been selected for redundancy must be offered any suitable alternative vacancy in preference to other redeployees until either her dismissal takes effect or her maternity leave ends (whichever is the sooner). Redundancy during maternity leave will end the contractual obligations to both maternity pay and the right to return. Statutory Maternity Pay payments are not affected and continue until the end of the maternity pay period.
- 5.4 Managers may retain posts for redeployees in their own Unit without opening them up to other redeployees only if they are either:

- existing vacancies for the same kind of work as post(s) which have been declared redundant or
- new posts arising from a reorganisation of work which involve the same kind of work and require the same skills as those held by employees whose posts are being declared redundant

However, the exception to this is where there are other redeployees who are disabled or who come within paragraph 5.3.

- 5.5 Managers are not obliged to select an applicant for the post who does not meet the essential requirements as set out in the person specification. Providing the essential requirements can be objectively justified, managers are generally entitled to require them to be fully met.
- 5.6 The only exception to this would be if a redeployee met the essential requirements substantially but not fully. The redeployee should be offered the post if the interviewing panel consider that the failure to fully meet any essential requirement would be likely to be remedied within a reasonable period, following specific skills training, work experience or guidance. In normal circumstances a maximum of eight weeks should be considered as a reasonable period.
- 5.7 If a disabled redeployee expresses interest in a post they should always be interviewed if it appears they could meet the essential requirements. In deciding whether the requirements could be met, managers must give special consideration as to whether reasonable extra training or a period of planned experience would help the redeployee meet the person specification. Any other reasonable adjustments to the working arrangements and physical features of the premises should also be considered to ensure the disabled redeployee is not placed at a disadvantage by reason of his/her disability. Provided the redeployee agrees, the manager making the post redundant should ensure the recruiting manager is aware of the candidate's disability. It will be for the redeployee to discuss with the recruiting manager any reasonable adjustments they require to the job or premises.
- 5.8 To preserve continuity of employment for all statutory purposes the offer of alternative employment must be made before the last day of service and must start no later than 1 week after the first job ended.
- 5.9 References will be taken up in the normal way as a part of the Recruitment and Selection policy when deciding whether to appoint a redeployee to a post.
- 5.10 Redeployment will not be sought for those employees who state in writing that they do not wish to be redeployed. Such employees may be allowed by the Council to leave its service immediately on grounds of redundancy with payment in lieu of their net contractual or statutory notice period whichever is the longer, in cases where the manager does not have work which the employee could usefully carry out during the notice period.

- 5.11 There is no appeal against any decision not to offer an redeployee an interview or not to appoint a redeployee after an interview although the manager (s) making such decisions will be expected to provide feedback to the redeployee.
- 5.12 The Council will only make one offer of suitable alternative employment. For the purposes of this paragraph an offer of suitable alternative employment is a job :-
- (a) whose grade is the same or one higher than that of the redeployee's old job; or
 - (b) whose grade is at or above the minimum level indicated in writing by the redeployee as acceptable.; and
 - (c) which is a permanent post; or
 - (d) which is a temporary post which is expected to last at least two years.
- 5.13 Employees who were not successful in being selected for a new post arising within the reorganisation will not considered for the same job through the redeployment process.

6. Profiling and matching

- 6.1 The Council operates a profile and matching service to assist employees who are under notice (or imminent notice)of dismissal to find suitable alternative work. It will be for the manager conducting the reorganisation to determine when the employee is under imminent notice of dismissal.
- 6.2 The service is managed by Human Resources & Diversity (HR&D). The manager with responsibility for making the post redundant will be required to notify the Council's matching service co-ordinator on Ext 1081 of the details of employees of redeployment status. Please ensure that this is done once the redeployee is under imminent notice of dismissal to ensure sufficient time is given for the matching service to look for alternative employment. The following procedure will be conducted by HR&D:
- A profile form will be sent to the redeployee by HR&D for completion and return so that a search can be made across the Council for suitable alternative employment vacancies.
 - The Job Shop (Brent's Recruitment Supplement) will be sent regularly to all redeployees.
 - HR&D will communicate direct with the employee and the manager when a suitable match is found. It will be the responsibility of the redeployee to state if they are interested in the post and make an application or advise the Council's matching service co-ordinator (Ext 1081) to submit their profile form.

- Redeployees will be sent information about a potentially suitable post on a lower grade than their existing post if the post is at or above the minimum grade indicated in the profile form as acceptable. In these circumstances there will be no pay protection, unless the conditions set out in paragraph 10 of this guidance apply. There will be no protection of other terms and conditions of employment.

6.3 The manager responsible for the redundancy will be ultimately responsible for ensuring that the profiling and redeployment takes place. He/she should regularly review the position of each redeployee. This review will include:

- Checking with each redeployee whether they have been asked to be interviewed for any matched posts
- Discussing any feedback they have had from interviews if unsuccessful and considering offering them training or coaching in job search or other skills if appropriate
- Asking recruiting managers about failures to shortlist

6.4 The reviews should be recorded, in particular to demonstrate that more frequent reviews have been held for redeployees with disabilities and that consideration has been given to their individual circumstances.

6.5 (a) When a redeployee has been successful in obtaining another post, or

(b) The manager is satisfied that the employee has failed to attend a redeployment interview without good cause, or

(c) The manager is satisfied that the employee has refused an offer of suitable alternative employment

The Council's matching service co-ordinator (Ext 1081) should be informed so that they can be withdrawn from the matching service.

7. Support available to assist redeployees

7.1 Employees facing redundancy are likely to express considerable concern for their future prospects either within the Council and if they are ultimately made redundant, may have significant personal fears relating to their ability to cope with the future loss of income. Managers may take advantage of the Occupational Health Westminster counselling service where the employee expresses the wish to receive support. Other options available are set out below:

- one to one interviews with the Service Area HR Managers
- initial interview and discussion with the Council's profile matching service (Ext 1081)

7.2 In addition, the profile matching service will provide the following support:

- training material on interviewing skills/techniques

- where available, opportunities for mock interviews
- job search advice

8. Trial period

- 8.1 An employee who is under notice of dismissal because of redundancy has a statutory right to a trial period of 4 weeks in an alternative job where the new contract differs from the original contract. The trial period is used to give the employee and the Council an opportunity to assess whether the new job is suitable, without the employee losing the right to a redundancy payment.
- 8.2 The trial period may be extended by agreement at the outset to take account of any agreed training. The agreement must :
- (a) be in writing and be made before the employee starts work under the new contract
 - (b) specify the date on which the period of retraining will end
 - (c) specify the terms and conditions of employment that will apply to the employee after the end of the retraining period.
- 8.3 If the manager ends the new contract within the trial period due to the employee being incapable of doing the new job , the employee will still have the right to be paid the redundancy payment due from the old contract. If the dismissal is due to a reason unconnected with the redundancy, eg misconduct the employee will lose that entitlement.
If the employees leaves or gives notice of resignation during the trial period the employee will get the redundancy payment only if the job was unsuitable and/or he or she did not act unreasonably in leaving it.
- 8.4 Role of the manager during the trial period is set out below:
- Assess the employee's knowledge and skills against those required for the job, where necessary provide support/training
 - Hold regular supervision meetings with the employee
 - Set performance targets for the employee
 - Monitor the employee's performance against the targets and provide feedback to the employee
 - Identify any problems with performance as early as possible
 - Take necessary remedial action to assist the employee to improve performance – this may include training, asking the employee to work more closely with an experienced colleague, closer supervision
 - Keep written records of all action taken during the trial period and supervision meetings with the employee

9. Bumped redundancy

- 9.1 A bumped redundancy is where an employee (who is not in the original pool of

selection) volunteers to be made redundant and their job is given to the potentially redundant employee. Bumped redundancies can only take place where a redundancy situation has arisen as defined in paragraph 4.1 of the procedure and the manager is satisfied that a bumped redundancy is in the interests of the Council. Full account should be taken of the costs of such a proposal. In all cases of bumped redundancies arrangements for the redeployment must be finalised before agreeing to the release of the volunteer.

10. Pay protection

- 10.1 The following pay protection arrangement will apply where an employee suffers a significant financial loss by accepting a post on a lower grade as a result of restructuring or redeployment, ie two or more grades lower than the current post. The arrangements will apply until such time as the Council decides to review the pay protection policy.
- 10.2 The employee's Service Area Director must be in support of applying pay protection in the individual case. He/she must make an explicit case in writing requesting that protection be applied. The reasons for supporting pay protection in the individual case must be given, together with the following details, to the Director of Human Resources & Diversity:
- The employee's substantive post
 - The employee's salary associated with the substantive post
 - The job in which the employee is likely to be placed in the new structure, or as a redeployee
 - How the employee's pay is likely to be reduced
 - Any special circumstances, eg personal or organisational
- 10.3 The Director of Human Resources & Diversity will consider the details of each case independently and may meet with the Service Area Director to clarify any aspects of the individual case. A decision will then be made by the Director of Human Resources & Diversity on whether or not to agree the pay protection.
- 10.4 If pay protection is agreed, the protection will last for one year from the date the employee starts in the new post. Employees will be paid at the maximum scale point of the grade immediately below that of their former substantive post. During that one-year period only, the employee will have no entitlement to the annual pay award,. At the end of the protected period, the manager may apply a scale point above the minimum point of the current substantive grade for the post.
- 10.5 In exceptional circumstances, where the criteria set out in paragraph 10.1 are not met but a significant risk to the continuing provision of services can be shown to exist, the Director of Human Resources & Diversity may agree to the payment of salary protection at the grade of the former substantive post, for a period of one year. This will be subject to the restrictions outlined in paragraph 10.4 both during and at the end of the protected period. In addition the employee will not be entitled to any incremental progression. At the end of this period, employees will then move to the substantive grade for the post.

11. Time off to look for new employment or for training

- 11.1 Employees who are under notice of dismissal because of redundancy are entitled to reasonable amount of paid time off to look for another job (and go for interviews) or to arrange training for future employment. In deciding the amount of paid time off allowed a balance has to be struck between the needs of the employee and the effect of the employee's absence on service delivery. Wherever possible managers should allow such assistance to all employees who are affected by redundancy.

12. Managing change in schools

- 12.1 The managing change procedure covers support staff based in schools who are employed by the Council. Where the school has a delegated budget then under the School Staffing (England) Regulations 2003 it will be for the governing body to decide whether the employee should cease to work there on the grounds of redundancy. This decision can be delegated by the governing body to the headteacher, or to one or more governors, or to one or more governors and the headteacher. The governing body will need to consider who will be authorised to make the initial decision to delete the employee's post / select the employee for redundancy and who will be authorised to decide any appeal by the employee against the initial decision.
- 12.2 Government guidance suggests that the initial decision should be made by the Headteacher unless there are circumstances making that inappropriate (such as where the Headteacher is unwilling to make that decision as a new responsibility). Where the initial decision is not delegated to the Headteacher the guidance suggests that the initial decision should be delegated to a hearing of at least three governors, unless there are not enough governors who have not been involved in any previous action or decision connected with the initial decision, in which case the decision should be delegated to two governors. The guidance also indicates that the decision on any appeal should be delegated to an appeal hearing of at least three governors who have not been involved in any previous action or decision connected with the decision appealed against. Where there are not enough such governors available the appeal may be heard by two governors, but there should be no fewer than the number that made the initial decision.
- 12.3 Once a final decision has been made that the employee is no longer to work at the school then the governing body must notify the Council in writing of its decision and the reasons for it. If the employee solely works at the school then the Council is normally required within the following fourteen days to give the employee notice of dismissal. If the employee does not work solely at the school the Council must require him/her to cease to work at the school.
- 12.4. Where the member of staff's contract allows placement to other schools the governing body must first tell the Council that it wants to declare the member of staff redundant and ask the Council to consider other suitable posts in the Council.

13. Redundancy and pension payments

Eligibility and funding

- 13.1 The three main types of payment which may arise upon a redundancy are statutory redundancy pay, payments under the Local Government Pension Scheme (LGPS) pension and payments under the premature retirement compensation scheme for those aged 50 & over.
- 13.2 Officers should notify the Director of Finance of any potential redundancy situation and in the event that premature retirement compensation is to be offered, before written notice of dismissal on the grounds of redundancy may be given the Director of Finance must approve it in writing. Service Units have to pay the full redundancy payment costs (i.e. statutory redundancy pay but based on actual salary without the statutory cap on a week's pay). Units also have to fund any ongoing pension costs, i.e. the ongoing payment of the "Compensatory Added Years" part of the pension if any and the capital cost of the strain placed on the pension fund for any early release of the main scheme benefits.
- 13.3 The arrangements apply only to staff who have completed:
- With regard to a redundancy payment: 2 years of continuous Local Government Service.

(" Local Government" for this purpose means local authorities and any other bodies covered by the Redundancy Payments (Continuity of Employment in Local Government etc) (Modification) Order 1999 (as amended))
 - With regard to early retirement benefits from the pension scheme: 3 months scheme membership.
 - With regard to the award of compensatory added years: more than five years pension scheme membership with Brent Council
- 13.4 The arrangements with regard to premature retirement benefits from the pension scheme and the award of compensatory added years only apply where the employee's employment with the Council is terminated by reason of redundancy or in the interests of the efficient exercise of the Council's functions.
- 13.5
- A. Employees aged 50 and over on the date notice of dismissal expires who are NOT members of the Pension Scheme
- 13.6 Such employees may qualify for a gratuity. Anyone who has had the opportunity to join the Pension Scheme but did not do so would be eligible for a

gratuity only up to the date they had the chance to join. [Staff working 30 hours or more per week were always able to join. Those working 15 to 29 hours were given an option to join from 1.4.86. Since 1.1.93, virtually all employees have had the chance to join - including those working 15 hours or less per week]. The calculation is as follows where service is the number of years of continuous Local Government service but excluding any years after they had the chance to join the Pension Scheme.

Pre 1987 service : current remuneration x service x 3.75% = £(a)

Post 1987 service : the National Insurance lower earnings limit [£57pw or £247 pm] x service from 1.4.87 to last day of service x 5% = £(b)

The total of (a) plus (b) is taken as the source amount for conversion from a lump sum into an annual gratuity.

13.7 These employees will also get Statutory Redundancy Pay as described in Section D if they have 2 completed years of local Government service.

B. Members of the Pension Scheme aged 50 & over with less than 3 months' service on the date notice of dismissal expires.

13.8 Members of the Pension Scheme would normally receive a refund of their contributions plus interest less deductions for tax and in respect of the State Scheme.

C. Members of the Pension Scheme aged 50 and over with at least 3 months pensionable service on the day notice of dismissal expires.

13.9 These employees will get a redundancy payment as described in Section D (if they have 2 completed years of local Government service) plus immediate payment of the Pension Benefits the employee has accrued, i.e.

- Annual Pension: final pensionable pay* x1/80th x scheme membership (years & days)
- Lump Sum: final pensionable pay* x3/80th x scheme membership (years and days)

13.10 In addition to the above, employees with 5 years scheme membership will be entitled to added years under the 2005 Premature Retirement Compensation Scheme.

Eligible employees will be credited with a period of additional service as follows:

- (i) At age 50 to 54 pension and lump sum will be enhanced by a quarter of a year for each year of Brent service.
- (i)(a) At age 55+ pension and lump sum will be enhanced by a third of a year for each year of Brent service.
- (ii) The added years in (i) or (i)(a) above will be adjusted by multiplying them by $\frac{25,617}{PR}$ where PR is pensionable remuneration.
- (iii) The added years awarded above shall not exceed 6 2/3 years nor exceed the other Inland Revenue prescribed maxima contained in the the Local Government (Early Termination of Employment) (Discretionary Compensation)(England and Wales) Regulations 2000.

Pensionable remuneration

13.11 Pensionable pay is any contractual pay or emoluments in respect of employment on which contributions were paid in the last twelve months before leaving. This excludes non contractual overtime, travel expenses, pay for loss of holidays, car allowances and pay in lieu of notice. Part time employees pay is calculated at the whole time contractual hours pay for benefit purposes. There are also exceptions to the method of calculation if pay was higher in previous years. When giving informal estimates, you should warn staff not to rely on them especially where there is difficulty in obtaining an accurate figure for pensionable pay.

13.12 Added years and pensionable remuneration are used to calculate additional lump sum and pension benefits as shown in the following worked examples of premature retirement compensation:

Worked example

Base data:

age is	55
pensionable salary in the last 12 months*	12,000
continuous Brent service	9 years

*12 months ending on the last day of service as specified by the manager

Added years are

$$9 \times \frac{1}{3} = 3 \times \frac{25,617}{12,000} = 6 \text{ years } 147 \text{ days } (6.4043)$$

Benefits under the Example are:

Basic Lump Sum ($\frac{3}{80} \times 12,000 \times 9 \text{ yrs}$)	4,050.00
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Added Yrs lump sum ($3/80 \times 12,000 \times 6.4043$)	2,881.94
Plus Stat. Redundancy Pay (See Section D)	
Total Free of tax	<u>6,931.94</u>
+ Statutory Redundancy Pay	
Pension ($1/80 \times 12,000 \times 9$ yrs)	1,350.00
Added Years Pension ($1/80 \times 12,000 \times 6.4043$)	960.65
Total Taxable	<u>2,310.65</u>

- 13.13 Service before 01/04/72 in respect of married men will count at 89% of its length in the calculation of Lump Sum and Retirement benefits, unless they have elected or wish to elect to purchase this service to avoid such a reduction.

D Redundancy Pay

Eligibility and information needed

- 13.14 To qualify, the employee must have two years' continuous Local Government service and be aged 20 or over.
- 13.15 Managers, assisted by their payroll administrators/personnel adviser, will be able to provide informal estimates. You need to ask the employee to provide a copy of their last pay slip to work out their weekly pay at the relevant date. Your payroll administrator will be able to confirm the date continuous Local Government service began for those who are members of the Pension Scheme (for non-members, consult the personal file).

Calculation of Redundancy Pay: which week's earnings are used?

- 13.16 The calculation date is the date used to decide which week's earnings should be the basis for redundancy pay. There are 2 different ways of calculating the date, depending on the circumstances i.e.
- i. where the employee is given at least the minimum statutory notice of dismissal, it is the date the notice expires, minus the amount of Statutory notice the employee is entitled to. That is, the date when you would have to have given Statutory notice to bring the contract to an end on the date it ended;
 - ii. if the employee is given no notice, or less than the minimum statutory notice of dismissal, the calculation date is the last day of employment

NB If there is an unsuccessful trial period the employee will be treated as having been dismissed for redundancy when the original contract came to an end. In this case the date is calculated having regard to the original date when notice of termination was first given and to the original contract's termination date.

13.17 The significance of the above calculations is that if an employee's pay has fallen over his/her career e.g. because s/he transferred to reduced hours, there is no flexibility to base Statutory redundancy pay on an earlier, higher, figure.

What is counted in a week's pay?

13.18 The State Scheme places a cap on the amount that can be counted as a week's pay. Brent Council has agreed to exercise its discretion to ignore this limit. You should therefore calculate redundancy payments on an employee's actual weekly pay at the calculation date i.e. the amount due under the contract if the employee works his/her normal week in the week defined at 13.19 above. It includes any regular and non-variable allowance or bonus but it does not include overtime unless the contract provides in writing that the overtime is part of the employee's normal working hours or the overtime is both guaranteed by the Council and obligatory for the employee. The latter situation may arise where the employee has worked the overtime on a regular basis.

Calculation

13.19 The amount of an employee's lump sum redundancy payment is dependant upon how long he/she has been continuously employed within local government service at the relevant date. The relevant date is the employee's last day of employment except where the employee is given no notice, or less than the minimum statutory notice of dismissal. In that case the relevant date is the date on which the minimum statutory notice of dismissal would have expired had it been given. (Service with other organisations related to Local Government can also count - see Local Conditions reference document on HR webpage).

13.20 Redundancy pay is calculated by multiplying a week's pay ($\frac{1}{2}$, 1 or $1\frac{1}{2}$ times a week's pay, depending on age) by the number of completed years of service at the relevant date, as follows:

- For each completed year of service between the ages of 18 and 21 inclusive half a week's pay.
- For each completed year of service between the ages of 22 and 40 inclusive one week's pay.
- For each year of service between the ages of 41 and 64 inclusive one and a half week's pay.

13.21 The maximum service which can count is 20 years, but this is counted back from the date of redundancy. Therefore the maximum entitlement is 30 weeks' pay.

13.22 The table at the end of this guidance gives the resulting number of weeks' pay according to age and service.

13.23 Between the age of 64 and 65, the cash amount due is reduced by one twelfth for every completed month by which the age of the person exceeds 64.

Worked Example:

13.24 An employee with date of birth 31/3/44 joined Local Government service on 1/4/67 and has weekly pay of £300: 2 months' contractual notice expires on 1/9/94.

Service at the relevant date = 27 years , which exceeds the maximum 20, so only the last 20 years of service count

Completed years of service from age 41 = 9 @ 1.5 weeks per year = 13.5

The previous 11 years of service was all over age 22 =

11 @ 1 week per year = 11

Total = 24.5

[The table at the end of this guidance gives the same result i.e. age 50 with 20 years = 24.5]

24.5 weeks pay at £300 = £7350.

Ready Reckoner for Redundancy Payments

To use the table: Read off employee's age and number of completed years of service. Any week which began before the employee attained the age of 18 does not count. The table will then show how many weeks' pay the employee is entitled to. For those aged between 64 and 65, the cash amount due is to be reduced by one-twelfth for every complete month by which the age exceeds 64.

Service (years)	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20
Age (years)																			
20	1	1	1	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
21	1	1½	1½	1½	1½	-	-	-	-	-	-	-	-	-	-	-	-	-	-
22	1	1½	2	2	2	2	-	-	-	-	-	-	-	-	-	-	-	-	-
23	1½	2	2½	3	3	3	3	-	-	-	-	-	-	-	-	-	-	-	-
24	2	2½	3	3½	4	4	4	4	-	-	-	-	-	-	-	-	-	-	-
25	2	3	3½	4	4½	5	5	5	5	-	-	-	-	-	-	-	-	-	-
26	2	3	4	4½	5	5½	6	6	6	6	-	-	-	-	-	-	-	-	-
27	2	3	4	5	5½	6	6½	7	7	7	7	-	-	-	-	-	-	-	-
28	2	3	4	5	6	6½	7	7½	8	8	8	8	-	-	-	-	-	-	-
29	2	3	4	5	6	7	7½	8	8½	9	9	9	9	-	-	-	-	-	-
30	2	3	4	5	6	7	8	8½	9	9½	10	10	10	10	-	-	-	-	-
31	2	3	4	5	6	7	8	9	9½	10	10½	11	11	11	11	-	-	-	-
32	2	3	4	5	6	7	8	9	10	10½	11	11½	12	12	12	12	-	-	-
33	2	3	4	5	6	7	8	9	10	11	11½	12	12½	13	13	13	13	-	-
34	2	3	4	5	6	7	8	9	10	11	12	12½	13	13½	14	14	14	14	-
35	2	3	4	5	6	7	8	9	10	11	12	13	13½	14	14½	15	15	15	15
36	2	3	4	5	6	7	8	9	10	11	12	13	14	14½	15	15½	16	16	16
37	2	3	4	5	6	7	8	9	10	11	12	13	14	15	15½	16	16½	17	17
38	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	16½	17	17½	18
39	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	17½	18	18½
40	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	18½	19
41	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	19½
42	2½	3½	4½	5½	6½	7½	8½	9½	10½	11½	12½	13½	14½	15½	16½	17½	18½	19½	20½
43	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21
44	3	4½	5½	6½	7½	8½	9½	10½	11½	12½	13½	14½	15½	16½	17½	18½	19½	20½	21½
45	3	4½	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22
46	3	4½	6	7½	8½	9½	10½	11½	12½	13½	14½	15½	16½	17½	18½	19½	20½	21½	22½
47	3	4½	6	7½	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23
48	3	4½	6	7½	9	10½	11½	12½	13½	14½	15½	16½	17½	18½	19½	20½	21½	22½	23½
49	3	4½	6	7½	9	10½	12	13	14	15	16	17	18	19	20	21	22	23	24
50	3	4½	6	7½	9	10½	12	13½	14½	15½	16½	17½	18½	19½	20½	21½	22½	23½	24½
51	3	4½	6	7½	9	10½	12	13½	15	16	17	18	19	20	21	22	23	24	25
52	3	4½	6	7½	9	10½	12	13½	15	16½	17½	18½	19½	20½	21½	22½	23½	24½	25½
53	3	4½	6	7½	9	10½	12	13½	15	16½	18	19	20	21	22	23	24	25	26
54	3	4½	6	7½	9	10½	12	13½	15	16½	18	19½	20½	21½	22½	23½	24½	25½	26½
55	3	4½	6	7½	9	10½	12	13½	15	16½	18	19½	21	22	23	24	25	26	27
56	3	4½	6	7½	9	10½	12	13½	15	16½	18	19½	21	22½	23½	24½	25½	26½	27½
57	3	4½	6	7½	9	10½	12	13½	15	16½	18	19½	21	22½	24	25	26	27	28
58	3	4½	6	7½	9	10½	12	13½	15	16½	18	19½	21	22½	24	25½	26½	27½	28½
59	3	4½	6	7½	9	10½	12	13½	15	16½	18	19½	21	22½	24	25½	27	28	29
60	3	4½	6	7½	9	10½	12	13½	15	16½	18	19½	21	22½	24	25½	27	28½	29½
61	3	4½	6	7½	9	10½	12	13½	15	16½	18	19½	21	22½	24	25½	27	28½	30
62	3	4½	6	7½	9	10½	12	13½	15	16½	18	19½	21	22½	24	25½	27	28½	30
63	3	4½	6	7½	9	10½	12	13½	15	16½	18	19½	21	22½	24	25½	27	28½	30
64	3	4½	6	7½	9	10½	12	13½	15	16½	18	19½	21	22½	24	25½	27	28½	30

LONDON BOROUGH OF BRENT
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