



VENTNOR TOWN COUNCIL

REDUNDANCY POLICY

1 INTRODUCTION

1.1 It is Ventnor Town Council's aim, as far as possible, to ensure that security of employment exists for all its employees. It is, however, recognised that there may be changes in funding, competitive conditions, service developments and organisational needs etc which may impact on the numbers and grades of staff employed.

1.2 Where alternative employment is not possible and redundancy is unavoidable, Ventnor Town Council's will exercise fairness and consistency, conscious of the difficulties that a redundancy situation will create for the staff concerned.

2 DEFINITIONS

2.1 In this document, the following words or phrases shall have the following meanings:

2.2 *Calculation Date* means one of the following:

2.2.1 the date the employee was given the minimum notice required by law to end the employment; or

2.2.2 if the notice the employee received was longer than this minimum, the date on which minimum notice would have had to have been given to end the employment on the same day as it actually ended.

2.3 *Redundancy* means a dismissal as defined in the Employment Rights Act (ERA).

2.4 *A week's pay* means the amount an employee is entitled to under the terms of his/her contract of employment on the *Calculation Date*.

3 OFFERS OF ALTERNATIVE WORK

3.1 Ventnor Town Council will consider with an employee likely to be affected by redundancy if suitable alternative work can be offered. Whether alternative work may be considered suitable will depend on a number of factors involving pay, status, location and working environment and hours of work etc.

3.2 Any offer of alternative employment will be made in writing to the employee before the termination of the job from which the employee is being made redundant. The offer will provide a clear idea of what is being offered.

3.3 An employee who is under notice of redundancy has a statutory right to a trial period of 4 weeks in an alternative job where the provisions of the new contract differ from the original contract, and this period can be extended by agreement in writing.

4 REDUNDANCY PAYMENT

4.1 An employee who is made redundant is entitled to a lump-sum redundancy payment from Ventnor Town Council provided that the employee:

4.1.1 has been dismissed; and

4.1.2 has at least two years' continuous service since the age of 16.

4.2 The amount of the statutory redundancy payment depends on:

4.2.1 how long the employee has been continuously employed by Ventnor Town Council;

4.2.2 how his/her years of continuous service relate to a particular age band; and

4.2.3 his/her weekly pay, up to a legal limit.

4.3 The ERA provides that:

4.3.1 for each full year of continuous service under the age of 22, the employee will receive half a week's pay;

4.3.2 for each full year of continuous service for which age was 22 or above but less than 41 the employee will receive one week's pay; and

4.3.3 for each full year of continuous service for which age was of 41 or more the employee will receive 1½ weeks' pay.

4.4 Length of continuous service is counted backwards from the *relevant date*. This is generally the date on which the notice given to the employee ends.

4.5 A week's pay is subject to the statutory maximum in force at any time.

5 SELECTION FOR REDUNDANCY

5.1 Ventnor Town Council will consider all available alternative options before deciding whether to make redundancies, such as:

5.1.1 voluntary redundancy - employees who volunteer for redundancy are still entitled to receive statutory redundancy payments;

5.1.2 retraining and redeployment within the organisation;

5.1.3 reducing hours of work.

5.2 In order not to unfairly select employees for redundancy, Ventnor Town Council's will adopt a selection methodology discussed with affected employees when the need arises.

6 CONSULTATION

6.1 The Town Clerk will communicate with staff and their appropriate representatives whenever it seems that redundancy may arise. This will include explaining why redundancy may become possible, what alternatives have been considered, how the need will be determined, and an estimate of the potential number of posts which may be affected.

6.2 Consultation will begin at the earliest opportunity. The Town Clerk will formally consult with staff and their appropriate representatives, providing the following information:

6.2.1 the reason(s) for the proposed redundancy;

6.2.2 the number and job titles of staff who it proposes to dismiss as redundant;

6.2.3 the total number of staff employed and the staffing structure; and

6.2.4 confirmation of the selection criteria and procedure to be used, including the proposed time frame and any proposals with regard to redundancy payments.

7 DISMISSAL PROCEDURE

7.1 Following consultation and where no alternative options are available, an employee who has been selected for redundancy will be written to by the Town Clerk. The written statement will set out that the employee is to be made redundant and the circumstances which led Ventnor Town Council to contemplate dismissing the employee on the grounds of redundancy. The employee will be invited to attend a meeting to discuss the matter.

7.2 The meeting will be at a reasonable time and location and the employee must take all reasonable steps to attend. The employee has a right to be accompanied by a work colleague or trade union representative. If the employee or the companion is disabled Ventnor Town Council's will take all reasonable steps to ensure that he/she has no problems participating fully in the meeting.

7.3 The meeting will be far enough ahead that the employee has had a reasonable opportunity to consider his/her response to the information. After the meeting the Town Clerk will inform the employee about any decision in writing and offer the employee the right of appeal if the decision goes against him/her.

7.4 If the employee decides to appeal (on the grounds that he/she feels that he/she has been unfairly selected for redundancy; or that the redundancy process has not been carried out properly; or that a job

he/she considered suitable has not been offered to him/her, he/she must inform the Town Clerk within 5 working days that he/she wishes to appeal against the decision.

7.5 The appeal will be heard by the Town Clerk, Chair and one Member of Ventnor Town Council. The Town Clerk will arrange a meeting to discuss the appeal within a reasonable time (normally within 7 working days) and the employee must take all reasonable steps to attend. The appeal meeting will take place before the redundancy notice expires and the dismissal takes effect. The employee has a right to be accompanied by a work colleague or trade union representative.

7.6 After the meeting the employee will be told of the decision in writing in accordance with paragraph 8.2, making it clear that it is final.

8 NOTICE OF DISMISSAL

8.1 An employee who is to be dismissed will be given as much notice as possible. The minimum period of notice for dismissed employees is four weeks for the first four years of continuous employment after which it increases by one week for each additional year of continuous service up to a maximum of 12 weeks.

8.2 Notice of dismissal will be in writing and will contain the following details:

8.2.1 the reason for the dismissal;

8.2.2 the date when the employment will end;

8.2.3 notification of any redundancy payment, including the appropriate calculation;

8.2.4 details of any ex gratia payments; and

8.2.5 details of any additional payments, such as unused holiday entitlement.

8.3 Individual periods of notice due to employees to be made redundant may run concurrently with the statutory minimum consultation period.

8.4 An employee may leave before the termination date specified in the notice with the agreement of Ventnor Town Council's with full redundancy pay provided that he/she informs Ventnor Town Council's of the date he/she wishes to leave.

9 TIME OFF

9.1 Employees served with a redundancy notice are entitled to take reasonable time off with pay during the notice period to seek alternative work or retraining.