



**Chippenham  
Town Council**

Improving  
the quality  
of town life

## Redundancy Policy

# REDUNDANCY POLICY

## Policy Statement

This policy sets out the arrangements that will apply should Chippenham Town Council need to consider making redundancies.

It is Chippenham Town Council's intention to provide security of employment wherever possible. However, it is recognised that changes in availability of work and organisation may affect staffing needs. Chippenham Town Council will aim to minimise the effect of redundancies by offering alternative employment to employees at risk of redundancy wherever possible.

## Scope of Policy

The policy applies to all employees of Chippenham Town Council (herein referred to as "the council").

## Equality Statement

All the organisation's policies are intended to promote equality, eliminate unlawful discrimination and actively promote good relationships regardless of age, disability, gender, race or ethnicity, religion and belief, and sexual orientation.

## Review Statement

This policy has been prepared considering prevailing legislation and recognised good practice. New legislation requirements or changes in current legislation may necessitate the review of this policy document. The organisation will continue to review and amend all/part of this policy on a regular basis. It is the employee's responsibility to ensure that the copy of the policy being referred to is the most up-to-date version.

## Consultation Arrangements

Where it becomes necessary to consider redundancies, employees will be notified of the reasons for the potential redundancy situation and of the council's proposals at the earliest possible opportunity.

During consultations, the council will provide full information about the proposed redundancies, and will give adequate time for responses. Information provided will include:

- The reasons for the proposed redundancies
- The numbers and categories of employees who may be redundant
- The proposed method of carrying out any redundancy dismissals
- The time period over which the redundancies may be carried out
- The proposed method of calculating redundancy payments

The objectives of consultation will be to seek to:

- Reach agreement with employees or their representatives on the above issues
- Avoid the need for redundancies wherever possible
- Reduce the number of employees who are to be made redundant to a minimum
- Determine the criteria to be used to select employees for redundancy
- Mitigate the consequences of any dismissals

### Measures to Avoid or Minimise Redundancy

If redundancies need to be considered, the council will attempt to avoid redundancies through any reasonable means and will consider:

- Redeployment
- Natural staff turnover
- Restricting recruitment, including holding vacancies
- Reducing hours of overtime
- Job sharing
- Retraining
- Inviting volunteers
- Any other reasonable suggestion

Wherever possible, the council will seek voluntary redundancies before making any decisions regarding compulsory redundancy notification.

### Voluntary redundancy

As part of the consultation, the council will consider volunteers for redundancy. The council does not operate an 'open VR scheme' and will only consider applications for voluntary redundancy from employees who have formally been identified as 'at risk' of redundancy. Applications for voluntary redundancy will be invited at the start of the consultation period, and will be discussed during individual consultation meetings. Redundancy pay will be paid a different rate to those subject to compulsory redundancy. Applying for voluntary redundancy does not mean you will be accepted.

### Selection Criteria

Where it is expected that more than one employee may be made redundant and it is not self-evident who is at risk, criteria will be developed which are fair, transparent and non-discriminatory. Factors which may be considered include the following although this is not an exhaustive list:

- Skills and aptitude
- Experience
- Standard of work performance
- Attendance/disciplinary record
- Flexibility and versatility
- Ability to deliver service required by the clients

Where an employee in the pool for selection has a disability recognised under the Equality Act the council will ensure that they are not put at any disadvantage on account of the application of the selection criteria and will

accordingly make reasonable adjustments to the selection procedure to remove any disadvantage that the disabled employee would otherwise have.

The selection criteria will be applied by a panel consisting of a minimum of two senior staff members or officers at the council, as appropriate, as well as being verified by our independent HR Consultant. The most appropriate manager will provide a statement for each employee, assessing the employee against each of the selection criteria.

Once provisional selections for redundancy have been made, the council will enter into individual consultation with each employee identified. Each employee will have the right to be informed of the basis of their selection and invited to put forward any representations. The council will consider fully any such representations before making a final decision on which employees are to be made redundant.

If at any time the council plans to make 20 or more employees redundant, it will follow a formal consultation process in line with the relevant legislation in force at that time.

### Suitable Alternative Employment

The council is committed to seeking suitable alternative work for employees who are under notice of redundancy or where redundancy consultation has started. Any “at risk” employees are aware of any vacancies that may arise across the organisation.

If an offer of redeployment has been accepted by an employee this will be regarded as an offer of suitable alternative employment and as such will be subject to a trial period of no less than four weeks in line with statutory requirements. The trial period will allow the employee and the council to establish their suitability for the position. If, at the end of, or during, this period it becomes obvious that the employee is not suitable, they will be regarded as having been made redundant unless alternative work is available.

If an employee unreasonably refuses suitable alternative work up to one week prior to the date of termination, a redundancy payment will not be made. A redundancy payment may not necessarily be made if a job is secured elsewhere and the employee is released before the end of their notice period.

Time-limited salary protection arrangements may be considered where an employee accepts a lower paid job. Details around this possibility, including decisions around time limits will be at the complete discretion of the CEO.

### Appeals

An employee has the right of appeal against a redundancy or redeployment decision.

Should an employee wish to appeal they must do so, with full reasons for the appeal in writing, to the Chief Executive within five working days of receiving the redundancy notification.

The employee may be accompanied by a trade union representative or work colleague.

The appeal hearing chair has the scope to:

- Uphold all or part of the previous decision
- Substitute the previous decision for some other within the scope of the policy
- Not uphold the previous decision

Within three working days of the appeal meeting the employee will be notified of the decision directly, wherever possible or by post by recorded delivery to the employee with a copy to the employee's representative, where applicable.

This decision is final.

### Time Off to Seek Other Employment

Employees under notice of redundancy will be given reasonable time off work to seek alternative employment.

### Redundancy Payments

The council has three redundancy pay arrangements:

1. one for those employees who have two or more years' service, who volunteer, and are accepted for, voluntary redundancy,
  2. one for those employees with more than five years' service who are made compulsorily redundant.
  3. one for those employees with between two and five years' service who are made compulsorily redundant.,
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1. Employees with two or more year's continuous employment with the council at the date their notice of redundancy becomes effective, and have been accepted for voluntary redundancy, shall receive voluntary redundancy payments, calculated as follows:
    - 3.0 weeks pay for each full year of service
  2. Employees with five or more year's continuous employment with the council at the date their notice of redundancy becomes effective, shall receive redundancy payments (inclusive of the statutory redundancy payment), calculated as follows:
    - 2.5 weeks pay for each full year of service
  3. Employees with two or more year's continuous employment with the council at the date their notice of redundancy becomes effective, shall receive statutory redundancy payments, calculated as follows:
    - 0.5 weeks pay for each full year of service where age during year less than 22
    - 1.0 weeks pay for each full year of service where age during year is 22 or above, but less than 41
    - 1.5 weeks pay for each full year of service where age during year is 41+

For calculating the above, a weeks pay is based on the maximum statutory weekly rate of pay in force at the time or the employee's normal rate of pay, whichever is lower. A maximum of twenty years' service will be taken into account.

Employees with less than two year's continuous employment with the council, as at their last day of service are not eligible for redundancy payment.

Payment in respect of outstanding accrued holiday entitlement shall be made if it is not reasonably practicable for such holiday entitlement to be taken during the notice period.

Termination payments will be made direct into the employee's bank account either with their last payment or within 14 days of the termination if sooner.

#### Early release

During the period of notice, and by mutual agreement, the employee may be allowed to leave the council without loss of entitlement. Agreement by the council will be considered in each case and will depend on whether the request is made on reasonable grounds.

#### Further Information

For further information or clarification on any part of this policy, please contact the Chief Executive of the council, Mark Smith