

This policy sets out the Darlington Methodist Districts approach to dealing with potential redundancies. It does not form part of an employees' terms and conditions of employment and it may be subject to change at the absolute discretion of the District.

Section	Procedure	Page
1.	Introduction	1
2.	Employees on Fixed Term Contracts (FTC)	2
3.	Consultation Process	2
4.	Length of Consultations	2
5	Voluntary Redundancy	2
6	Redundancy Selection	2, 3
7	Alternative Work	3
8	Time of Work	3
9	Termination of Employment	3

1. Introduction

Redundancy is a legal form of dismissing an employee from a job and the needs of the District may from time to time require a reduction in the overall numbers of staff employed or organisational changes that result in some employees being made redundant. The focus of any redundancy policy is to avoid redundancies wherever possible.

Where this is necessary, the Employer will ensure that:

- the total number of redundancies made is kept to a minimum where possible as long as the entity is going to continue to exist.
- individual employees and, where appropriate, their representatives are fully consulted on any proposals and their implementation.
- selection for redundancy is based on clear criteria that will, as far as possible, be objectively and fairly applied.
- every effort is made to redeploy or find alternative work for employees selected for redundancy throughout the consultation process and right up to the termination of employment date; and
- Appropriate support and advice are provided to employees selected for redundancy to help them cope with the change and find suitable work when their employment has come to an end.

Employee rights can be summarised as follows:

- redundancy pay.
- a notice period.
- consultation with the Employer.
- the option to move into a different job.
- time off to attend training and find a new job.

An employer cannot select an employee for redundancy because of one or more of the protected characteristics as provided for under the Equalities Act 2010, to decided who is made redundant, this could be classed as an unfair dismissal.

2. Employees on fixed term contracts

If you have any employees on an initial fixed term contract, you do not need to include them in the consultation process unless you intend to terminate their contracts early due to redundancy.

3. Consultation process

Option 1 - where there are no employee representatives.

Consultations will be carried out with individual employees as appropriate and provided that they are made aware of their right to be accompanied.

Where it is proposed that 20 or more redundancies are required at the same location over a 45 -day period, arrangements will be made for the election of employee representatives, if none are already in place, who will be consulted over the proposals and the general process to be followed.

Individual employees will still be consulted in respect of their own particular circumstances.

Option 2 - where there are existing employee representatives.

Consultations will be carried out with individual employees as appropriate. Where it is proposed that 20 or more redundancies are required at the same location over a 45 -day period, consultations will take place with the representative over the proposals and the general process to be followed.

Individual employees will still be consulted in respect of their own particular circumstances.

4. Length of consultations

There is generally no specific set time for how long consultations should last but examples of some minimum timelines for 20 or more redundancies are as follows:

20 to 99 redundancies

The consultation must start at least 30 days before any dismissals take effect.

100 or more redundancies

The consultation must start at least 45 days before any dismissals take effect.

5. Voluntary redundancy

In order to minimise the need for compulsory redundancies, the Employer may invite employees to express an interest for being considered for voluntary redundancies.

Whether or not additional payments will be offered in relation to voluntary redundancies will be a matter for consultation and will depend on the circumstances. The minimum requirement would be the statutory redundancy payment. The Employer reserves the right at its absolute discretion to decline requests for voluntary redundancy.

6. Redundancy selection

The criteria used in selecting employees for redundancy will depend on the existing circumstances and the particular needs of the Employer at the time.

However, effort will be made to construct a fair and robust set of criteria as set by management who may be required to consult with the employee representatives as appropriate.

Individual employees who are provisionally selected for redundancy following the application of the criteria will be informed of the fact and invited to a consultation meeting, at which they will be given an

opportunity to make representations that the application of the criteria results in unfairness to them, or if they feel that there has been a mistake in the application of the criteria.

The Employer may adjust and amend the selection criteria if they accept the employee's suggestions or points of view.

7. Alternative work

The Employer will make every effort to find suitable alternative work for any employee who is selected for redundancy.

Such vacancies will therefore be ring fenced for those employees who have been identified as being at risk of redundancy. The employees will be informed of all the available vacancies within the district at the time of their selection and throughout the consultation period and they will be given an opportunity to discuss with their Line Manager which vacancies are likely to be suitable for them.

The Employer reserves the right to select the best available candidate/s in relation to any given vacancy. Where there is more than one employee at risk, it may be possible for the Employer to open the vacancy for competitive selection within the pool of those employees.

The Employer will offer a protected recruitment process for such vacancies provided the employees whose jobs are at risk meet the minimum selection criteria. If an employee is appointed to a suitable alternative role, they will be entitled to a month's trial to ascertain their suitability for the role and, if the trial is unsuccessful, they will continue to be at risk and the redundancy process will continue to its logical conclusion.

Employees have a separate legal entitlement to be offered any suitable alternative work that is available if they are made redundant while on maternity leave. For further information please follow this link: <https://www.gov.uk/employee-rights-when-on-leave>

8. Time off work

An employee under notice of redundancy will be entitled to a reasonable amount of paid time off work to look for alternative work, attend interviews, training etc.

Employees wishing to take advantage of this and providing their request is reasonable should make the appropriate arrangements with their Line Manager.

9. Termination of employment

Depending on the circumstances, the Employer may waive its right to insist on employees working their notice and instead give a payment in lieu of notice (PILON).

Employees with two or more years' service may be entitled to a statutory redundancy payment. The amount of this payment will be confirmed when the employee is selected for redundancy and the sum will be paid along with the employee's final salary payment, or payment in lieu of notice.

This policy has in part been taken from guidance on www.methodist.org.uk