

Redundancy Policy

1. Introduction

- 1.1. While it is the intention of Sacriston Youth Project (“the Charity”) to develop and expand its business activities and thus provide a stable work environment and reasonable security of employment for its employees, it must ensure the economic viability of the enterprise in an increasingly competitive business environment.
- 1.2. In this respect, circumstances may arise where changes in the economy and competitive markets necessitate the need for redundancies. In order to minimise the impact of such reductions, the following procedure will be adopted wherever possible.
- 1.3. It must, however, be recognised that where the needs of the Charity so dictate, the procedure may be adapted to the particular circumstances which prevail.

2. Definition of Redundancy

An employee will be considered redundant where:

- a. the Charity has ceased (or intends to cease) the business in which the employee is employed, or ceases (or intends to cease) carrying out this business at the place where the employee is employed; or
- b. the requirements of the Charity for employees to carry out work of the particular kind in which the person concerned is employed have ceased or diminished (or are expected to cease or diminish), either in the Charity as a whole or in the place where the person is employed.

3. Procedure

- 3.1 Where the need arises for a reduction in the size of the workforce, the Line Manager will enter into consultations with elected staff representatives and trade union representative (if applicable) with a view to establishing whether the proposed job losses can be achieved by means other than compulsory redundancies.

Consideration will be given specifically to the following alternative options, subject to the Charity's immediate business considerations:

- a) imposing an immediate ban on further recruitment of new staff, other than where this is essential
- b) considering redeployment and/or retraining of surplus personnel
- c) restricting the use of subcontract labour, and temporary and casual staff

- d) reducing the amount of overtime working in the Charity
- e) the implementation of temporary layoff, short time working, job-sharing, etc. where appropriate
- f) inviting applications for consideration for early retirement and/or voluntary redundancy.

Where the possibility of a reduction in the size of the workforce of 20 or more arises and there is no recognised trade union or elected employee body, the Charity will invite affected employees to nominate and elect representatives to take part in consultations about possible redundancies. Facilities will be provided to allow candidates to canvass affected employees and for an election to take place. Sufficient time will be allowed before consultation commences to ensure that the election is properly conducted. As soon as possible after the results of the election are known management will enter into consultation with the elected representatives with a view to establishing whether the proposed losses can be achieved by means other than compulsory redundancies. Consideration will be given specifically to the alternative options.

3.2 Selection Criteria

In the event that there is only one post to be declared redundant, and one employee with those duties, a selection process will be unnecessary. Otherwise selection criteria to ensure an objective outcome will be introduced. Consultation will take place from the time of notification about proposed redundancies, between the Line Manager and an employee representative to establish selection criteria.

Every endeavour will be made to ensure that the selection criteria for redundancy are fair, objective, readily understood, capable of being applied in an independent way and widely accepted to ensure that employees are not unfairly selected and that a consistent format is applied to all redundancy situations.

The selection criteria will be the subject of consultation between the Line Manager and the employee representative.

3.3 Consultation with individual employees

The Line Manager will meet with each employee being considered for redundancy to explain the reasons for the required redundancies, (such an individual will have the right to be accompanied by either their Trade Union representative (if applicable) or a workplace colleague), the selection criteria to be adopted (see above), and to discuss ideas with, and receive ideas from, employees about ways of avoiding the redundancies. Where there is an entitlement to a redundancy payment, details will be given about the payment, its method of calculation and how it will be paid. (Information can be found in Appendix 2).

3.4 Redundancy Hearing

If, after all previous consultations have been concluded, it is the opinion of the Line Manager that a redundancy cannot be avoided the employee will be entitled to a formal hearing before the Business Manager or Chair of Trustees at which the case for dismissal on the grounds of redundancy will be considered.

3.5 Giving notice to the employees to be made redundant

As with other dismissals, employees are entitled to a minimum period of notice as identified in their contracts of employment. If the notice period is less than the statutory minimum period of notice, then the statutory minimum will be applied. (Information can be found in Appendix 3).

4 Appealing against redundancy

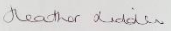
Where an employee has been advised of their dismissal on the grounds of redundancy, they have a right of appeal. The process of appeal will be as follows:

- a) The employee must lodge their intention to appeal in writing within 7 days of receipt of the letter confirming their selection for redundancy. The appeal letter should include reasons for the appeal and should be sent to the Line Manager;
- b) The appeal will normally be held within 21 days of receipt of letter of appeal;
- c) The employee may be represented by their trade union representative (if applicable), or a workplace colleague;
- d) The employee will have the right to attend the appeal, but if the employee fails to attend the appeal meeting, the Charity may proceed in their absence and may reach a decision on the oral and written evidence available at the meeting.
- e) The employee may call witnesses to the meeting and in that event either party may question those witnesses;
- f) The appeal panel may adjourn the hearing at any time, for any reason or such period of time as it thinks fit. The appeal panel will determine all matters of procedure having heard representation from the employee, subject to the procedures outlined above.
- g) The decision will be relayed to the employee within 7 days of the hearing;
- h) The decision of the appeal panel will be final; in the event of the dismissal being confirmed, the original notice date of termination will apply.

5 Time off for Job Seeking

The Line Manager will permit reasonable time off work to seek other employment. In addition, signposting advice may be offered on various subjects: i.e. financial advice, how to go about finding another job, guidance on completing application forms and preparation for interviews.

This policy has been approved & authorised by:

Name: Heather Liddle
Position: Trustee – Sacriston Youth Project
Date: April 2021
Signature: 

Date of Review	Reviewed By	Changes Made	Date of Next Review
April 2021	Jo Cameron - Trustee		April 2022

Appendix 1

Disclosure of Information

The following information will be provided to the employee representative prior to the initial consultation meeting. The purpose of this information will be to commence the consultation process and assist all parties in considering whether it is possible to avoid/reduce the redundancies and agree mechanisms for handling the proposed redundancies. In addition, the discussions should consider ways to mitigate the consequences of the redundancies.

- a) The reason(s) for the redundancies, to include what measures the Charity has taken to consider avoiding such redundancies.
- b) Proposal for the method of selection for redundancy.
- c) Proposals (where possible) to minimise redundancy taking account of the selection criteria.
- d) The numbers and description of employees likely to be affected.
- e) The total number of employees of any such description employed at the Charity.
- f) Proposals on how the redundancies are to be carried out, including the period(s) over which the redundancies may take effect.
- g) Confirmation of redundancy payments to be made, and the method of calculating.

Appendix 2

Method of Calculating Statutory Redundancy Payment

Employees may be entitled to redundancy payments if they have been continuously employed for at least 2 years and are dismissed due to one of the following possible reasons for redundancy:

- a) closure of a business
- b) closure of the employee's workplace
- c) a diminishing need for employees to do the available work.

Employees with at least two years' continuous employment get a statutory redundancy pay entitlement of:

- a) 0.5 week's pay for each full year of service while they were under 22
- b) 1 week's pay for each full year of service while they were 22 or older, but under 41
- c) 1.5 week's pay for each full year of service while they were 41 or older.
- d) Employees can only count a maximum of 20 years' service and the 'weekly pay' is subject to an upper limit.
- e) The statutory redundancy payment is capped at £ 538 a week. The maximum amount of statutory redundancy pay is £ 16,140. (April 2020)

If the Charity has cash-flow problems so serious that making the redundancy payment would put the future of their business at serious risk, the Redundancy Payments Service (RPS) can arrange to pay the employee direct from the National Insurance Fund. If the Charity is insolvent, the RPS makes the payment and the debt is recovered from the assets of their business.

(Reference: ACAS – Redundancy Payments)

Appendix 3

Statutory Minimum Periods of Notice

Period of Continuous Employment	Minimum Notice
One month or more, but less than two years	One week
Two years or more, but less than twelve years	One week for each year of continuous employment
Twelve years or more	Not less than twelve weeks' notice