

## MANAGING CHANGE

Appendix A



Central  
Bedfordshire

	<b>Page Number</b>
1. Introduction	2
2. Consultation	2
3. Appointing to Positions in a New Structure	2
- New Posts	3
- Assimilation	3
- Ring Fence	3
- Redeployment	4
- Specialised Posts	4
4. Protection of Conditions	5
- Salary	
- Promotion or voluntary change of job	
5. Relocation	5
6. Redundancy	6
7. Measures to avoid Compulsory Redundancy	6
- Voluntary Redundancy	7
8. Compulsory Redundancy	7
- Consultation Process	7
- Selection Criteria	8
9. Support for Employees	10
10. Compensation Payments	10
11. Early Retirement	11
- Early Retirement on the Grounds of Redundancy	
- Early Retirement in the Efficient Interests of the Service	
12. Dismissal Process	12
13. Appeals	13
Flow Chart	14
<i>Appendix 1 – Model Section 188 Letter</i>	15/16
<i>Appendix 2 – Ready Reckoner for Redundancy Payments</i>	17

## 1. INTRODUCTION

It is the policy of Central Bedfordshire Council to ensure, as far as possible, the security of employment of its employees. However, the Council is subject to many pressures, and changes will occur which may result in a need to vary staff levels and structures.

This document aims to ensure that employees affected by organisational change are treated fairly and consistently. (A flow chart is attached at Appendix 1 to assist in the process).

This procedure applies to all staff employed on Central Bedfordshire terms and conditions, including those protected on other terms and conditions of employment following TUPE transfer to Central Bedfordshire Council, with the exception of the Chief Executive (Head of Paid Service), The Assistant Director of Legal & Democratic Services (Monitoring Officer) and the Director of Corporate Resources (Chief Finance Officer). Separate procedures apply to these officers as detailed in the Constitution of Central Bedfordshire Council, Part H4, Officer Employment Procedures Rule.

The Council is committed to ensuring that this policy does not discriminate directly or indirectly on grounds of race, colour ethnic or national origin, religion or belief, sex, sexual orientation, marital status, disability, age, trade union membership and activity.

## 2. CONSULTATION

Directors and or Line Managers must undertake meaningful consultation with individual staff and trade unions on all proposals involving organisational change before any decisions are made. This will allow time for alternative suggestions to be considered.

Consultation should take place at the earliest opportunity. Managers must seek the advice of Human Resources before any consultation takes place.

Line Managers must explain the business reasons for the proposed changes and provide information on possible revised structure charts and individuals affected.

Line Managers must listen to the views of employees and trade unions and take these into account prior to finalising proposals.

**There are statutory time limits and criteria for the format and content of consultation that must be followed. (See Consultation Process at Paragraph 6.2)**

It is essential that there are both group consultations where it is applicable and individual consultations with those directly affected.

## 3. APPOINTING TO POSITIONS IN A NEW STRUCTURE

The need to restructure an area of Council activity may arise as a result of changes in demand for services, changed priorities or the need to improve efficiency. Where such a need arises, employees and trade union representatives must be fully briefed and consulted on proposals to change the structure and jobs within it.

In order to secure an appointment in the new structure, employees will be subject to the following process, provided they are in a permanent post or on a fixed term contract: Employees affected by restructuring will be entitled to discuss their concerns with management and may be accompanied by a trade union representative or work colleague.

**(a) New Posts**

For New posts, a Job Evaluation questionnaire will be produced and, once evaluated, the posts will be advertised within the ring-fence and employees who have not already been slotted in will be invited to apply. Selection will be in accordance with normal recruitment procedures such as interviewing and will include an assessment of relevant competencies.

**(b) Assimilation**

Assimilation will occur when there is a post in the new structure which is the same or broadly similar to a post in the previous structure. Where only one employee has met the criteria for assimilation, that employee will be slotted into that post. Normally a post will be deemed as being broadly similar if the nature of the post and level of responsibility remain much the same. In some circumstances an individual may be assimilated into a post of a higher or lower grade.

If assimilated into a new post employees will have a new contract based on the job-evaluated grade with the appropriate conditions attached.

Where more than one employee is eligible for assimilation to a particular post, then the decision as to which employee is to be assimilated will be made through a competitive selection process, ring-fenced to only those employees who meet the criteria for assimilation.

Once assimilated, employees will not be eligible to apply for any other new posts in the structure until other employees have been considered.

**(c) Ring-Fence**

Posts which are not filled by an assimilation process will be advertised internally on a 'ring fenced' basis in the first instance. Ring fencing is a procedure used to re-appoint permanent and fixed term employees who are affected by the restructure, to newly established posts. The objective of ring fencing is to minimise possible redundancies.

Eligibility to apply will be from a pool of affected employees determined by the relevant Director in consultation with the Assistant Director of HR & OD and the relevant trade unions. Employees will normally only be entitled to apply for posts one grade up or down.

Employees eligible to apply for the ring fenced posts will be subject to a recruitment procedure and will be assessed for the job(s) in which they have declared an interest. The successful candidates will be appointed in accordance with the Council's appointment arrangements.

The normal recruitment and selection procedure will be used to fill any jobs which cannot be filled from within the ring fence. All other Central Bedfordshire Council employees will have the opportunity to apply at this stage of the process.

**(d) Redeployment**

Following assimilation and ring fencing, any posts remaining unfilled in the new structure will be considered as redeployment opportunities for all those employees who remain 'at risk';

At risk employees have a right to prior consideration for appointment to any suitable vacancy at the same or lower salary level to their existing post, for which they meet the basic requirement, or would do, given suitable training. Prior consideration means that they will be entitled to an interview before any other candidate. Any appointment must be made by a fair interview process.

The training provided has to be reasonable, given the circumstances of each appointment and each of the potential candidates. The type of training that is most likely to be appropriate is 'top-up', 'refresher' or skills training where the training requirement is fairly limited. The training provided should be to equip employees to successfully acquire posts at broadly their own grading level, and it would be unreasonable for there to be an expectation that training will be given to support a substantial promotion. The indicative training period should not normally exceed 3 months.

Where the 'at risk' candidate satisfies the requirements of the interview they should be appointed. If they are not appointed the interviewing panel must inform the employee in writing, within 5 days of the interview, giving reasons why they were not appointed, before another appointment is made.

Where an offer is made, the employee will be given reasonable time, normally 5 days, following the offer to reach a decision and to discuss relevant issues or concerns. After agreement by all parties, the proposals will be implemented.

The employee who is under notice of redundancy has a statutory right to a trial period of 4 weeks in the alternative job. If at the end of the trial period the role is considered to be unsuitable by either the line manager or the employee, the employee will still be entitled to a redundancy payment.

If posts remain unfilled despite the steps explained above then the jobs will be advertised externally and in the rest of the Council in accordance with normal recruitment procedures.

The Council's Redundancy Guidelines for Employees sets out in more detail the procedure to follow and is available from Human Resources, or the Intranet.

**(e) Specialist Posts**

It is recognised that the specialist nature of some posts may be such that it is unlikely that they could be filled by internal recruitment. If managers identify such a situation this must be referred to the Head of Resourcing, Human Resources and the Director, who, in consultation with the recognised trade unions will be authorised to determine those posts where it would be more appropriate to follow the normal recruitment procedure.

## 4. PROTECTION OF CONDITIONS

### 4.1 Salary

If employees are redeployed to a suitable alternative role of a lower basic grade than their current contractual grade, they will be offered a new contract of employment. This new contract of employment will be based on the job-evaluated grade, but will include a provision for personally protecting the basic salary of the employee for a period of three years.

Salary protection will apply to redeployment in the following way where the new role is graded at a lower level than the current role:

- 1 Establish the CBC grade equivalent using the employee's current salary under their historical pay scheme.
- 2 Where the new job is evaluated at up to two grades lower than the equivalent CBC grade (as established under point 1 above), pay protection will apply in full and the employee will have the benefit of three years on their current salary until it reduces to the substantive salary for the new job;
- 3 During the 3 year period an employee's protected pay will be 'frozen' as at the date of implementation of the new grade. Therefore an employee's pay will remain the same and the employee will not receive any incremental or cost of living rise for the duration of the period of protection.
- 4 Protection arrangements will continue for 3 years unless:
  - a The total level of pay in the new post exceeds the level of the protected pay
  - b The employee is appointed to a post which attracts an equal or higher basic salary; or
  - c The employee moves to any other post of their own accord, including a post attracting lower pay or grade than the post the employee was working in prior to redeployment; or
  - d The employee leaves the Council.

## 5. RELOCATION

As part of any restructuring under existing contracts of employment employees may be required to undertake duties other than those to which they were originally appointed and at other locations. If an employee *unreasonably* refuses relocation to suitable alternative employment with protected terms, then they may be dismissed on the ground of redundancy and the Council *may not be prepared to make redundancy compensation available*. Each case will be looked at on an individual basis.

If employees are required to relocate to an office which is in excess of the mileage incurred in travelling from their home to the old work base at a distance of at least 5 miles further from home than their existing work location, they may be eligible to claim Excess Travelling Expenses unless their Contract of Employment states otherwise. Excess Travelling Expenses will apply for a four-year period. Details are available from the Intranet or Human Resources.

## **6. REDUNDANCY**

Redundancy may occur in the following situations:

- Where a reduction in the number of employees is required;
- A substantial change to the duties and responsibilities of the post occurs;
- A post is no longer required, or is relocated.

In these instances the Council will implement a redundancy procedure, which is set out below.

Redundancy is a very complex area and procedures and statutory requirements need to be strictly adhered to. Line managers are advised to seek further assistance at the earliest opportunity from Human Resources.

## **7. MEASURES TO AVOID COMPULSORY REDUNDANCY**

Where the need for a reduction in resources has been clearly identified, following an efficiency review, change of policy or other Committee decision, the Council will examine if the saving can be achieved by means other than redundancy of established permanent and fixed term staff.

The Council will try to avoid compulsory redundancies wherever possible. Measures for avoiding compulsory redundancy may include:

- Natural wastage
- The ending of temporary contracts. Specialist advice must be sought when it is proposed to terminate a temporary contract, as the reason for, and the terms contained within the contract, need to be considered
- Terminating employment of casual staff and staff employed via agencies
- Considering whether volunteers for voluntary redundancy can be sought taking into account the retention of a viable, skilled and experienced workforce and the financial implications
- Redeployment, including re-training if necessary, to other parts of the organisation
- Reduction or elimination of overtime working
- Restrictions on recruitment
- Considering volunteers for part-time working
- Early flexible retirement (?)
- Short time working
- Considering suggestions from trade unions / employees
- Trying to make savings in other areas

Trade union representatives will be consulted on the outcome of the examination of these alternatives.

### **7.1. Voluntary redundancy**

If it is possible, compulsory redundancies will be avoided by considering voluntary redundancy. If the consideration of volunteers is a viable option open to management, the manager will target the appropriate group of employees affected by redundancy, in order to seek volunteers.

The decision to seek volunteers and the consideration of any applications from employees, must take into account the need to retain a viable, experienced and skilled workforce and on the financial implications.

Decisions on whether or not to accept a formal application for voluntary redundancy will be made by the manager in consultation with Human Resources. The considerations for this decision will include:

- The impact on the organisation in terms of the individual leaving, for example the loss of their experience and skills
- The cost of redundancy compensation and any early retirement costs.

The above considerations will also be applied if there are more applications for voluntary redundancy than there are redundant posts. The decision making process will be fair and transparent and all employees involved will be given the reasons why their application has been accepted or rejected. An employee may appeal in writing against a decision to reject an application for voluntary redundancy.

## **8.0 COMPLUSORY REDUNDANCY**

If the Council considers that compulsory redundancies may be necessary consultation with staff directly involved and with trade unions must commence as soon as is reasonably practicable. Managers must liaise with Human Resources to ensure the redundancy process is carried out in accordance with legal requirements and Council policies.

### **8.2 Consultation Process**

#### *Informal consultation with the recognised trade unions*

The line manager and / or Human Resources should commence informal consultation as soon as they are aware that redundancies may occur in order to provide the trade unions with the opportunity to have an influence on any outcome. The naming of individuals should be avoided, as this may cause worry needlessly if they are subsequently not selected for redundancy and can imply that a definite decision has already been made. It does not matter if the number of redundancies is not known at this stage.

#### *Consultation with Employees*

Employees have a right to be consulted individually about proposed redundancies at the earliest possible opportunity and dismissals may be deemed unfair if this has not taken place. This will help to quash unfounded rumours and allay fears. You should discuss the possibility of redundancies and give a timetable of events when they will find out more detailed information.

It is good practice to allow employees to be accompanied by a trade union representative or work colleague at the consultation meetings.

#### *Formal Consultation with the recognised Trade Unions*

It is a legal requirement under 'section 188' of the Trade Union and Labour Relations (Consolidation) Act 1992, for employers to consult recognised trade unions about proposed redundancies BEFORE individual redundancies are implemented. The employer must formally consult with the trade unions whether or not the employee or groups of employees are members. At this stage management must involve Human Resources in order to ensure that the Section 188 notification can be sent out. (See Appendix 1)

In accordance with Central Bedfordshire Council's practice, a Section 188 notification is still required even if only one employee is to be made redundant. A Section 188 notification is also required if the redundant employees are volunteers.

The period of consultation where less than 100 employees are to be dismissed as redundant at any one time, at one establishment, *will be at least 30 days*.

Where 100 or more employees are to be dismissed as redundant at any one time, at any one establishment, the period of consultation *will be at least 90 days*.

Whilst consultation must start at least 30 or 90 days (as appropriate) before the redundancy notices take effect, it is not necessary that consultation should last for all that time if agreement or a conclusion is reached between the trade unions, employees and management. Likewise, where consultation has not been completed by the end of the 30 or 90 day period, consultation should continue until adequate consultation has been completed.

Agreement does not need to be reached with the trade unions. However, their comments to the proposals and responses to the comments must be noted and attempts must be made to agree, especially on selection criteria.

Redundancy notices can only be issued when consultation has been completed. Therefore the consultation period and the notice period cannot run concurrently.

Failure to consult either individual employees or trade unions may result in claims for unfair dismissal and protective awards.

***NB If less than 20 employees are to be dismissed as redundant at any one establishment at least 30 days' CONSULTATION MUST STILL TAKE PLACE.***

### 8.3 Selection Criteria

This selection policy for redundancy will be operated in accordance with the Council's Equal Opportunities Policy and will therefore ensure that selection criteria do not directly or indirectly discriminate on the grounds of sex, race, colour, nationality, ethnic or national origins, disability, marital status, sexual orientation, spent offences, age, trade union membership and activity, political or religious belief.

### 8.4

The selection criteria and the selection process will be the subject of consultation with the Trade Unions and affected staff prior to any decisions being made.

Opportunities for redeployment and relocation will be considered throughout. Human Resources will provide assistance for employees.

The method of selection will be based upon individual employees being measured against the person specification of the posts that will be needed in the future. Detailed person specifications will need to be produced for those posts that will remain in the work areas where redundancies have been identified.

Selection of the employees who best match the person specification will then take place and may include interviews and appropriate tests. Those not selected will be identified as redundant. Where interviews and appropriate tests are not used, a detailed record of a selection process must still be recorded.

The selection criteria used on the person specification will be -



- Realistic - i.e. the criteria must relate directly to the duties that will need to be performed and must not be overstated.
- Justifiable - the division between 'essential' and 'desirable' attributes must be accurate and defensible
- Specific and measurable - each factor in the selection process must be capable of being accurately and objectively measured or supported by substantial evidence.
- The person specification will normally cover most (if not all) of the following areas:
  - Knowledge
  - Experience
  - Skills (Social and Technical)
  - Other Requirements

In order to ensure that there is no unfair discrimination in the selection process, assessment of the selection criteria will be undertaken by at least two managers. A representative from Human Resources will also be present in order to ensure that there is no breach of this policy, or of the Council's Equal Opportunities Policy. All members of the assessment panel will be fully aware of the importance of not discriminating unfairly in the selection process.

The assessments will be approached in an objective a way as possible using written evidence wherever this is available. Detailed records of the selection decisions will be kept.

Where necessary, the criteria may be weighted to reflect their relative importance to the future requirements of the posts that will remain.

Details of the person specifications to be used in the selection process, together with any weighting to be applied, will be notified to the trade unions as part of the formal consultation process. Copies of the person specifications to be used will also be distributed to all employees in the area where the redundancies need to be made.

#### *Attendance/Disciplinary Records*

Where interviews and appropriate tests are not used and a 'paper selection' is carried out, if the above stage of the selection process fails to differentiate between two or more employees, then the next stage will be a selection by considering attendance and disciplinary records.

Attendance records will be assessed first and the reasons for and extent of absences will be carefully assessed. Absences relating to pregnancy and maternity will be discounted, and absences relating to certain other illnesses or medical conditions which occur uniquely, or with greater frequency in one gender or race, will be carefully considered. Management will also ensure that persons with disabilities are not unfairly discriminated against throughout this process but particularly at this stage of the procedure. Reasonable adjustments must be made to any selection criteria to make sure the criteria do not discriminate against disabled employees, for example a reasonable adjustment may be discounting disability related sickness absence.

Any absences agreed by management e.g. unpaid leave, compassionate leave etc. will also be discounted.

If attendance records fail to select individuals for redundancy then disciplinary records will be used care will always be taken not to penalise an employee by 'double counting' i.e. a formal warning for absence would be an example of 'double counting'.

## **9. SUPPORT FOR EMPLOYEES**

In the unfortunate circumstances where compulsory redundancies have to be made there is a process for line managers to follow and a service to be provided for employees.

If an employee is in this position, managers should arrange a meeting for the individual with Human Resources. Information and guidance will be provided including estimated redundancy compensation or opportunities for redeployment and/or retraining.

Redundancy Guidelines for Employees have been produced for employees faced with redundancy and all line managers should familiarise themselves with that pack. Managers are responsible for ensuring that the Pack is issued to all employees who might be affected. This should be undertaken when the areas of potential redundancies are decided and formal consultation has started.

*The Redundancy Guidelines for Employees is available from Human Resources or the Intranet.*

## **10. COMPENSATION PAYMENTS FOR REDUNDANCY**

All employees with 2 years' continuous service, irrespective of hours worked, are eligible for redundancy payments. For the purposes of calculating payments under the Discretionary Compensation Regulations (DCR) 2006 provisions, an employee's reckonable continuous service under the Redundancy Payments Modification Order (RPMO) will be used as the basis for the calculation of entitlement. Although an employee with less than 2 years' service is not entitled to a redundancy payment, they still have the right to be consulted and the serving of notice.

The Council will normally pay severance in redundancy situations based upon the Statutory Redundancy Payment Scheme i.e. up to a maximum of 30 weeks redundancy payment based upon the age/length of service calculator. (See Ready Reckoner, Appendix 2)

Redundancy payments will be calculated using an employee's actual weekly wage.

### **An automated Redundancy Ready Reckoner is available on the Intranet**

In order to facilitate change management, the Council in exceptional circumstances may use the provisions of the DCR 2006 and at its discretion pay severance payments of up to 45 weeks. These payments will be determined by applying a "multiplier of 1.5" to an employee's reckonable service entitlement under the Statutory Redundancy Scheme. The discretionary payment will be inclusive of the employee's Statutory Redundancy entitlement.

Redundancy payments will be made if employment ceases with Central Bedfordshire Council and:

- (i) The employee does not take up employment at all;
- or (ii) Takes up employment with an organisation **not** covered by the RPMO;
- or (iii) Takes up employment with an organisation covered by the RPMO 4 weeks after their contract ends.

Where an employee accepts an offer of a job with a body covered by the RPMO the timing of the job offer is crucial. If the offer is made **after** the contract with the Council ends, then the entitlement to a redundancy payment remains. If the offer is made

**before** the contract ends, there must be a 4 week break in service, or there is no entitlement to a redundancy payment.

In redundancy situations, where an employee refuses, without good reason, what the Council judges to be "suitable alternative employment" then there will not be any entitlement to a redundancy payment.

## **11. EARLY RETIREMENT**

In accordance with the Local Government Pension Scheme Regulations, an employee whose employment is terminated on the grounds of redundancy or efficiency of the service and who is aged 50 (55 from 1<sup>st</sup> April 2010) and with at least 3 months' or more pensionable service, will be eligible to access their pension benefits immediately.

### **11.1 Early Retirement on the Grounds of Redundancy**

Employees will also receive a statutory redundancy payment calculated using actual pay.

In exceptional circumstances and in order to facilitate change management the Council may grant an employee a discretionary compensation payment. This request must be supported by a sound business case from the Service Area Director. All discretionary payments must be considered and approved by a Panel of Elected Members

Directorates are responsible for absorbing all costs associated with severance including the Actuarial Strain associated with any early retirement unless a central provision has been established for specific elements. All costs will be required to be met in the financial year that they occur.

### **11.2 Early Retirement in the Efficient Interest of the Service**

There may be circumstances where management would wish to discuss with employees aged 50 (55 from 1<sup>st</sup> April 2010), the possibility of early retirement in the interests of the efficient exercise of its functions. The situations which would warrant this discussion are:

- A substantial change in the function of the Directorate or its sections.
- Re-organisation/efficiency reviews of the Directorate or its sections
- A request by an individual employee who is experiencing difficulty in coping with the requirements of their post. Where deficiencies in an employee's performance are detected and this is not as a result of misconduct or ill-health, the Council's guideline for handling incapability should be followed.

In handling an early retirement in the efficient interests of the service it is important to follow the general procedure set out below:

- Discussion should be undertaken with the individual concerned and if there is a willingness by the individual to consider early retirement, assistance should be given to the employee by obtaining pension entitlement estimates to help in them in coming to a decision
- If after consideration of the employment and financial situation the employee wishes to proceed they should be asked to formally request the early retirement by writing to their Assistant Director.

- All requests for early retirement must be considered and approved by Elected Members. It should be noted however that these requests are only agreed in very exceptional circumstances.

It is important to identify to the individual employee that taking early retirement in these circumstances is solely their choice. It is not a dismissal. Therefore in order to protect the Council's position in these situations all correspondence between the Council and the employee who elects to retire early should make it clear that the decision to retire is that of the employee. In view of this point it is important to initiate 'efficient interest' retirements by requiring a written application from the employee. Notice of termination of employment does not need to be given as this is not a dismissal. Discussions should take place with the individual to mutually agree a termination date.

In exceptional circumstances and in order to facilitate change management the Council may grant an employee a discretionary compensation payment. This request must be supported by a sound business case from the Service Area Director. All discretionary payments must be considered and approved by Elected Members

Directorates are responsible for absorbing all costs associated with severance including the Actuarial Strain associated with any early retirement unless a central provision has been established for specific elements. All costs will be required to be met in the financial year that they occur.

If the employee does not want to consider early retirement in the efficient interest of the service, the employee's wish must be accepted. If an employee is coerced into retiring early this could be seen as unfair dismissal under the Age Regulations.

## **12. DISMISSAL PROCESS**

12.1 Employees who leave their employment with the Council on the grounds of redundancy are subject to a dismissal process, whether this is a voluntary or compulsory situation. To conform to the minimum statutory requirement under the statutory dismissals procedure the following procedure must be followed:

- Employees must have been informed that their job was at risk at the earliest possible opportunity.
- A meeting must be held with the employee to discuss the situation and to hear the employee's views and suggestions and to discuss redeployment. The individual will have the right to be accompanied by a work colleague or trade union representative.
- The right to appeal against dismissal on grounds of redundancy must be given.

### **13. APPEALS**

Employees must be informed in writing that they have the right to appeal against the dismissal to an appeals panel comprising an independent member of the Management Team. They must write to Human Resources within 10 working days of receipt of written notification of redundancy, stating their reasons for the appeal.

They may lodge an appeal on the following grounds:

- Unfair application of the selection criteria
- Failure to offer suitable alternative employment
- Unfair dismissal

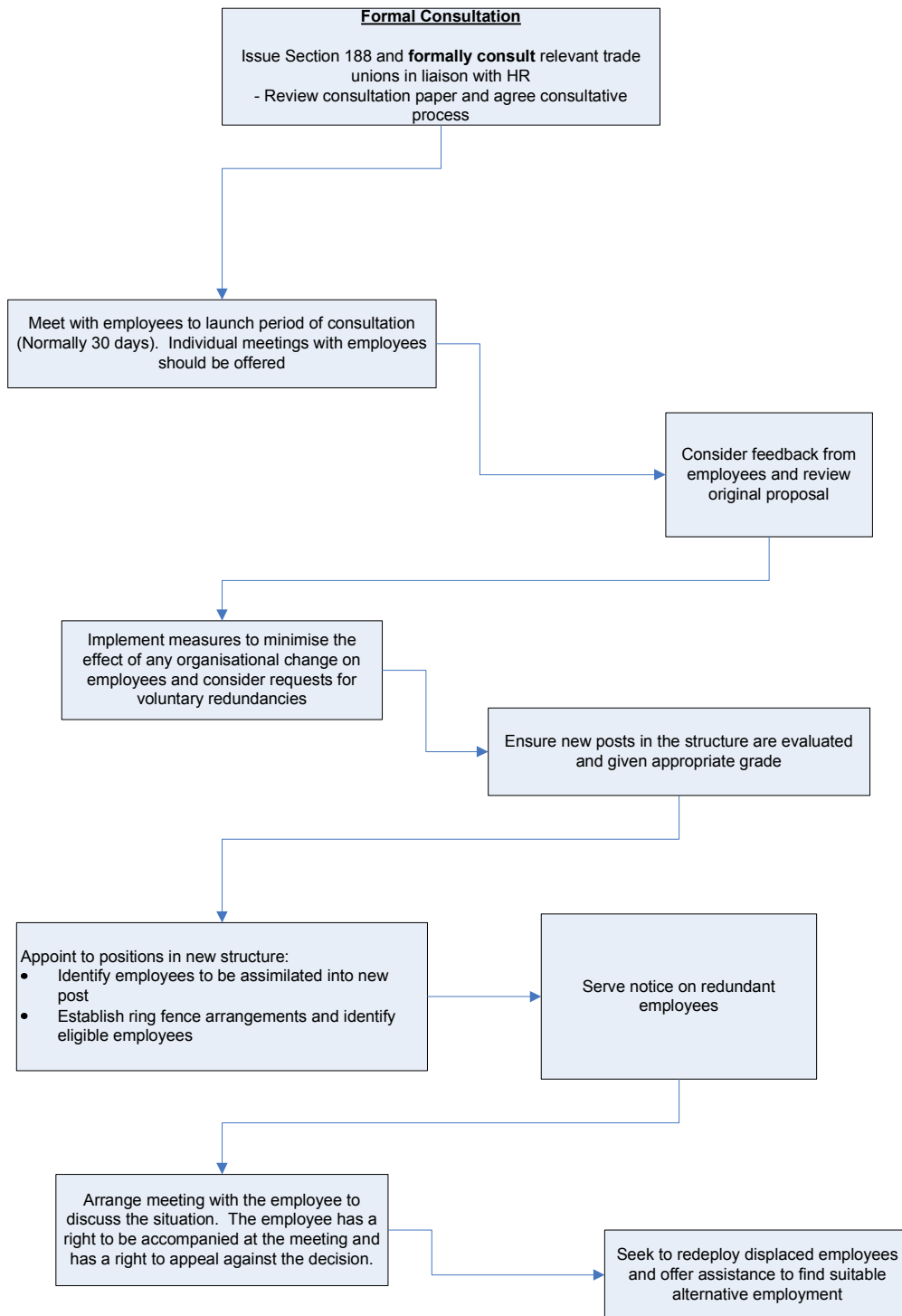
An appeal hearing will normally be held within 10 working days of receipt of their letter of appeal.

They will be sent a letter giving them at least 5 working days notice of the date of the appeal hearing, where it will take place and who will hear their appeal and that they have the right to be accompanied by a work colleague or TU representative.

The employee must take all reasonable steps to attend the meeting.

After the appeal hearing, the employees will be informed of the decision.

The decision of the appeals hearing is final.



**MODEL 'SECTION 188' LETTER**

our reference  
 please ask for  
 direct line  
 fax  
 e-mail  
 web-site                    www.centralbedfordshire.gov.uk  
 date

Recipient's name and address

Please reply to:

Dear

**Consultation on proposed Redundancies in accordance with s188 of the Trade Union & Labour Relations (Consolidation) Act 1992 as amended**

I am writing to consult you on proposed redundancies within (insert function and Directorate). The reason for these proposals is (insert reasons why proposed redundancies have arisen).

The numbers and descriptions of employees it is proposed to dismiss as redundant and the total numbers of employees of that description employed at the establishment in question are as follows:

Description of Employees	Number that it is proposed to dismiss	Total number of employees of that description employed at the establishment

The proposed method of selection for redundancy will be (Insert as appropriate)\*

\*in accordance with the Council's redundancy guidelines; or

\*by virtue of the fact that the employees in question are the only employees of such description employed at the establishment.

It is anticipated that the redundancies will take effect from (insert date). I foresee the next (30 or 90 days - insert as appropriate subject to the number of potential redundancies) ending on (insert date) as being the formal consultation period. I would welcome your comments and the opportunity to discuss the proposals, with a view to reaching agreement about ways of avoiding the dismissals, reducing the numbers involved and mitigating the consequences.

***(Note to Directorate/HR: the date when the redundancies take effect must be after the consultation period has concluded and allow for notice periods. This can be no less than 30/90 days from the beginning of consultation. Consultation and notice periods cannot run concurrently). REMOVE THIS NOTE BEFORE SENDING s188 OUT.***

Alternative employment opportunities will be sought for employees who are identified as redundant and trial periods will be provided where necessary. Reasonable time off from work will also be provided to seek other employment or arrange training for new employment.

Any redundancy pay will be based on actual pay and calculated in accordance with the Employment Rights Act 1996. In exceptional circumstances the Local Government (Early Termination of Employment) (Discretionary Compensation) (England and Wales) Regulations 2006 may be applied. Payment under these Regulations will be in accordance with the Council's policy in operation at the time and will be with the agreement of Elected Members.

Yours sincerely

cc:

Note: Establishment does not necessarily just mean an employee's normal place of work. Employees can be defined as engaged at one establishment even when they do not work at the same premises



**Ready Reckoner for Redundancy Payments**

**Appendix 2**

**To use the table: Read off employee's age and number of completed year's service.  
The table will then show HOW MANY WEEKS' PAY the employee is entitled to:**

Age	Service (Years)																			
	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	
17*	1																			
18	1	1½																		
19	1	1½	2																	
20	1	1½	2	2½	-															
21	1	1½	2	2½	3	-														
22	1	1½	2	2½	3	3½	-													
23	1½	2	2½	3	3½	4	4½	-												
24	2	2½	3	3½	4	4½	5	5½	-											
25	2	3	3½	4	4½	5	5½	6	6½	-										
26	2	3	4	4½	5	5½	6	6½	7	7½	-									
27	2	3	4	5	5½	6	6½	7	7½	8	8½	-								
28	2	3	4	5	6	6½	7	7½	8	8½	9	9½	-							
29	2	3	4	5	6	7	7½	8	8½	9	9½	10	10½	-						
30	2	3	4	5	6	7	8	8½	9	9½	10	10½	11	11½	-					
31	2	3	4	5	6	7	8	9	9½	10	10½	11	11½	12	12½	-				
32	2	3	4	5	6	7	8	9	10	10½	11	11½	12	12½	13	13½	-			
33	2	3	4	5	6	7	8	9	10	11	11½	12	12½	13	13½	14	14½	-		
34	2	3	4	5	6	7	8	9	10	11	12	12½	13	13½	14	14½	15	15½	-	
35	2	3	4	5	6	7	8	9	10	11	12	13	13½	14	14½	15	15½	16	16½	
36	2	3	4	5	6	7	8	9	10	11	12	13	14	14½	15	15½	16	16½	17	
37	2	3	4	5	6	7	8	9	10	11	12	13	14	15	15½	16	16½	17	17½	
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	

17 – It is possible that an individual could start to build up continuous service before age 16, but this is relatively rare and for this reason the table has been started at age 18.

61\* - The table stops at age 61 because for employees age 61 and over, the payment remains the same as for age 61.