



REDUNDANCY POLICY

**ELM PARK, STANMORE, MIDDLESEX, HA7 4BQ
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1. Scope and Purpose

- 1.1 This procedure will be applied in accordance with the College's Articles of Government.
- 1.2 It is the aim of the College to ensure, as far as reasonably possible, security of employment and the avoidance of compulsory redundancies for its employees by means of effective forward planning. However, from time to time, circumstances may make it necessary to consider reductions in staffing levels. In that event, the provisions of this policy shall be applied.
- 1.3 This policy meets the requirements of all the relevant employment legislation.
- 1.4 This policy applies to all staff. If a member of staff is a senior postholder the requirements of the Articles of Government will prevail to the extent there is any inconsistency with this policy.
- 1.5 The purpose of this policy is to ensure that, wherever staffing reductions are considered necessary:
 - All staff who are affected by the anticipation of a redundancy situation are given fair and equitable treatment
 - Wherever practicable, redundancies are avoided. Where this is not practicable, matters will be handled in a fair and reasonable manner and, where practicable, ways will be sought to avoid compulsory redundancies in consultation with the recognised trade unions with a view to reaching agreement.

2. Definition of Redundancy

- According to the statutory definition, as set out in the Employment Rights Act 1996, a redundancy occurs where a dismissal arises wholly or mainly because:
 - The employer has ceased, or intends to cease, to carry out their business for the purposes of which the employee is employed;
 - The employer has ceased, or intends to cease, to carry on that business in the place where the employee is employed;
 - The requirements of that business for employees to carry out work of a particular kind have ceased or diminished or are expected to do so;
 - The requirements of the business for employees to carry out work of a particular kind in the place where they are employed have ceased or diminished or are expected to do so.

It is important to note that it is the "post" which is being made redundant and this may lead to the postholder being dismissed by reason of redundancy..

3. Measures to avoid or minimise redundancy

- 3.1. The College will seek to avoid redundancies or minimise their impact wherever practical following consultation with the recognised Trade unions by means of any of the following measures as deemed appropriate by the College in the particular circumstances
- 3..1 Assessing the effect of normal staff turnover to make use of natural wastage;
 - 3..2 Freezing or restricting recruitment of permanent staff;
 - 3..3 Limiting the engagement of temporary staff;
 - 3..4 Seeking volunteers for redundancy;
 - 3..5 Filling vacancies from amongst existing employees by redeployment and/or retraining;
 - 3..6 Elimination as far as possible of overtime working;
 - 3..7 Considering the use of alternative working arrangements, such as part time working, reduced hours, job sharing.

This list is not exhaustive.

4. Selection for redundancy

- The College will determine the number of posts to be declared redundant and will aim to restrict the pool to be considered for redundancy to the area(s), department(s) and section(s) in which posts have been declared as surplus to requirements.
- 4.2 In circumstances where a selection for redundancy has to be made, selection criteria shall have regard to the number of redundancies necessary. By way of example, selection criteria may include but are not limited to:
- Relevant skills and experience;
 - Relevant qualifications;
 - Attendance record (subject to consideration of absences caused by disability);
- 4.3 The College reserves the right to change or add to selection criteria, in the recognition that the criteria may need to be varied according to the prevailing circumstances, for differing staff categories and according to the roles undertaken. The criteria to be used in each case shall be discussed with relevant trade union(s) with a view to reaching agreement.

5. Voluntary Redundancy

- 5.1 Staff disclosing an interest, without prejudice, in voluntary redundancy will be seen as soon as possible and advised in writing of the financial implications of their request. An adjustment will be made to the number of “at risk” posts to take account of any volunteers who are made or are to be made redundant.

6 Consultation

- 6.1 The College, through the Human Resources department, shall consult, with a view to reaching agreement, at the earliest opportunity with representatives of its recognised trade unions if any redundancies are proposed.
- 6.2 Where it is not possible to avoid redundancy, the requirements of the legislation shall be met and a reasonable period of time shall be allowed for consultation to take place with staff and union representatives. The college will disclose information in writing which shall include:
- The reasons why staff affected may be at risk of redundancy;
 - The departments, grades and descriptions of staff at risk.
 - How many staff will be affected.
- 6.3 The minimum consultation period will be in accordance with relevant legislation, which is currently as follows:
- For 100 or more staff to be dismissed within 90 days the employer must consult at least 90 days before the first notice of dismissal
 - Where the number of staff is from 20 – 99 to be dismissed within 90 days the employer must consult at least 30 days before the first notice of dismissal.
- 6.4 **Notifying the Secretary of State**
- Where it is proposed that 100 or more staff are dismissed within 90 days or less, the employer must notify the Secretary of State, in writing, of the proposal before giving notice to terminate an employee’s contract of employment and at least 90 days before the first of those dismissals take place.
 - Where it is proposed that between 20 and 99 staff are dismissed within 90 days or less, the employer must notify the Secretary of State, in writing, of the proposal before giving notice to terminate an employee’s contract of employment and at least 30 days before the first of those dismissals take place.
 - Where there are less than 20 staff, a reasonable period of consultation will take place.
 - Individual consultation with staff affected will also take place and staff may be accompanied to consultation meetings by a union representative or work colleague.

A copy of the notification to the Secretary of State will be sent to the regional official of the appropriate recognised Trade Union(s).

7. Dismissal

- 7.1 The Principal (or a senior postholder) may dismiss a member of staff even if s(he) has conducted the consultation..
- 7.2 Prior to being given notice of dismissal and as part of the consultation process, the employee will have the right to make representations at a meeting (for which purpose he or she may be accompanied by a trade union representative or workplace colleague) to the person conducting the consultation.

8. Redeployment

- 8.1 The college will make a commitment to send details of all vacancies to employees at risk. They will be considered for all suitable vacancies in which they have expressed an interest.
- 8.2 Suitable redeployment and re-training will be considered for all employees whose post(s) is "at risk".
- 8.3 For any employee who is under notice of dismissal and has been offered alternative employment, where the terms and conditions of the alternative position differ from the corresponding provisions of the employee's previous contract, the employee will be entitled to a statutory trial period of 8 weeks following the ending of the previous employment and will retain the right to redundancy payment if the post is not deemed suitable
- 8.4 Any employee who unreasonably rejects suitable alternative employment may forfeit the right to a statutory redundancy pay.
- 8.5 Where more than one person meets the essential criteria for an alternative post, redeployment into the post will be based on an objective assessment by the College.
- 8.6 In respect of protection of earnings, employees who accept redeployment will, if the salary of the post is lower, continue to receive a salary equivalent to the contractual earnings of their previous post (excluding non-contractual overtime and other ad hoc payments). Protection will not be applied to annual increments or subsequent cost of living awards until such time as protected earnings are less than the earnings of the new post.

9 Appeals

- 9.1 An employee who is given notice of dismissal by reason of redundancy may appeal against the decision to select him or her for compulsory redundancy. In order to appeal, the employee must inform the Clerk to the Corporation in writing within 14 calendar days of the date of dismissal or when notice of dismissal has been given, within 14 days of receipt of such notice, clarifying his or her wish to appeal the decision to dismiss and the grounds on which the appeal is based.
- 9.2 An appropriate Committee of Members of the Board of Governors will conduct an appeal hearing within 14 calendar days of the date on which the appeal was made or as soon as practicable after that. At the appeal hearing, the employee will be given an opportunity to make representations based on the grounds of appeal already submitted and will be entitled to be accompanied by a trade union representative or workplace colleague.
- 9.3 If the employee fails, without good reason, to attend an appeal hearing, the hearing will take place and a decision will be made in his or her absence, based on the information made available to the Committee of Members of the Board of Governors.
- 9.4 If the employee's chosen representative is unavailable on the first date identified for the appeal hearing and if it would be reasonable to do so, the appeal will be postponed once by up to 10 working days to enable the chosen representative to attend.
- 9.5 The decision will be notified to the employee in writing within 14 working days of the appeal hearing or as soon as is practicable after that. This decision will be final and binding.
- 9.6 In the case of an appeal against a notice of dismissal, the dismissal shall not take effect before the appeal has been determined.

10. Redundancy Payments

- 10.1 Redundancy payments will be calculated in accordance with each affected employee's statutory rights, based on age and length of service (see Appendix A). Redundancy payments will be based on actual weekly salary.
- 10.2 Those staff entitled to a redundancy payment will be informed in writing of their payment calculation before their employment terminates.

11. Time Off

- 11.1 Employees who are under notice of dismissal on the grounds of redundancy and who qualify for a statutory redundancy payment are entitled to a reasonable amount of paid time off work to find new employment or to make arrangements for re-training. Any employee wishing to take such time off must first obtain permission from his or her line manager and consent will not be withheld unreasonably.

12. Support

The college will provide support and guidance to employees being made redundant.



FURTHER EDUCATION CORPORATION

REDUNDANCY POLICY

JOINT AGREEMENT

SIGNATORIES

For and on behalf of Stanmore College Further Education Corporation:

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Date:

For and on behalf of ACM

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Date:

For and on behalf of ATL

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Date:

For and behalf of UCU:

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Date:

For and on behalf of UNISON

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Date:

Ready Reckoner for Calculating the number of weeks' pay due

		Service (Years)																		
		2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20
Age																				
18	1	1½	2																	
19	1	1½	2	2½																
20	1	1½	2	2½	3															
21	1	1½	2	2½	3	3½														
22	1	1½	2	2½	3	3½	4													
23	1½	2	2½	3	3½	4	4½	5												
24	2	2½	3	3½	4	4½	5	5½	6											
25	2	3	3½	4	4½	5	5½	6	6½	7										
26	2	3	4	4½	5	5½	6	6½	7	7½	8									
27	2	3	4	5	5½	6	6½	7	7½	8	8½	9								
28	2	3	4	5	6	6½	7	7½	8	8½	9	9½	10							
29	2	3	4	5	6	7	7½	8	8½	9	9½	10	10½	11						
30	2	3	4	5	6	7	8	8½	9	9½	10	10½	11	11½	12					
31	2	3	4	5	6	7	8	9	9½	10	10½	11	11½	12	12½	13				
32	2	3	4	5	6	7	8	9	10	10½	11	11½	12	12½	13	13½	14			
33	2	3	4	5	6	7	8	9	10	11	11½	12	12½	13	13½	14	14½	15		
34	2	3	4	5	6	7	8	9	10	11	12	12½	13	13½	14	14½	15	15½	16	
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* [1]	3	4½	6	7½	9	10½	12	13½	15	16½	18	19½	21	22½	24	25½	27	28½	30	

[1] -The same figures should be used when calculating the redundancy payment for a person aged 61 and above.' The table starts at age 20 because non-one below this age can qualify for a redundancy payment – service before the age of 18 does not count