



**ABERDEEN**  
**CITY COUNCIL**

# **MANAGING REDUNDANCY POLICY**

**Approved by Finance, Policy and Resources Committee on**

**19 June 2014**

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## **SECTION 1: POLICY STATEMENT**

### **Introduction**

This policy sets out Aberdeen City Council's approach to dealing with potential redundancies.

Although the Council's policy is to avoid redundancies occurring wherever possible, the needs of the organisation may from time to time require a reduction in the overall number of staff we employ or organisational changes that result in some employees facing redundancy, and there may be occasions where compulsory redundancies are unavoidable.

Where redundancies require to be considered, the Council will ensure that

- The total number of redundancies made are kept to a minimum
- Employees are fully consulted on any proposals
- When there will be redundancies of 20 or more employees, the consultation will take place with the employees' trade union representatives.
- Selection for redundancy is based on clear criteria that will be objectively and fairly applied
- Every effort is made to redeploy employees whose employment is at risk on redundancy grounds
- Other alternatives are considered to mitigate the risk of redundancies

This policy applies to all permanent and fixed term employees of Aberdeen City Council, including teachers and chief officers.

This policy only applies to fixed term employees whose fixed term contract is ending early because of redundancy.

## **SECTION 2: CONSULTATION**

The Council will meet its statutory redundancy consultation and notification obligations as contained in Part IV of the Trade Union and Labour Relations (Consolidation) Act 1992 (as amended). This Act requires the Council to consult with the employees' trade union representatives when there will be redundancies of 20 or more employees.

### **Formal Consultation**

The following information will be disclosed, in writing, to the trade unions:

- reasons for the proposals
- number and descriptions of employees proposed to be dismissed as redundant

- total number of employees of that description employed in the place in which the requirements to carry out that work have ceased or diminished
- proposed selection procedure to be used
- proposals on how dismissals are to be carried out, including the timescale
- proposed method of calculating redundancy payments

Consultation will begin where management are considering redundancies of 20 or more employees, but no firm decisions have been reached, and will be undertaken with the relevant trade unions with a view to reaching agreement. This consultation will include discussions on ways to:

- avoid the dismissals
- reduce the numbers of employees to be dismissed
- mitigate the consequences of the dismissals
- the proposed pool for selection
- the proposed selection criteria

### **Timescales**

To meet its legal obligations the Council will consult within the following timescales, however where reasonably practicable the consultation will begin at the earliest possible stage:

- at least **30 days** before the first dismissal takes effect if **20 to 99 employees** are at risk of redundancy.
- at least **45 days** before the first dismissal takes effect if **100 or more employees** are at risk of redundancy.

Consultation with trade unions **must** be completed **before** notices of redundancy dismissals are issued.

### **Notifying central government**

The Council will notify the relevant central government department of proposed redundancies of 20 employees or more in writing on the relevant form. Such notification will be made according to the following timescales.

At least 30 days written notification will be given if 20 to 99 employees are at risk of redundancy dismissal. At least 45 days written notification will be given if 100 or more employees are at risk of redundancy dismissal. These timescales are before the first dismissal takes effect.

A copy of this notification will be supplied to the trades unions at the time of notification to central government.

## SECTION 3: STEPS TO AVOID OR MINIMISE COMPULSORY REDUNDANCIES

### Preventative measures

The Council will seek to mitigate the effects of any necessary staffing reduction by considering alternative courses of action other than compulsory redundancy. Such courses of action may include:

- natural wastage
- recruitment freeze
- reducing or removing overtime
- sabbaticals (paid or unpaid)
- reduction in working week
- secondments to other organisations
- deployment of staff to other parts of the organisation
- terminating arrangements with any agency workers, self-employed contractors or freelancers with similar skills as the workers identified in the redundancy pool

In the event that the above measures do not mitigate the need for redundancies, management will consider the following options:

### Redeployment

The Council will make every effort to redeploy any employee who is selected for redundancy. This will be carried out in accordance with the Council's redeployment provisions.

### Voluntary Redundancies

The Council may consider voluntary redundancies from **within** the pool of affected employees. This will be carried out by inviting noted interests through the approved Voluntary Severance/ Early Retirement Scheme.

It is important to note that in the interest of retaining employees with particular skills and competencies, it is emphasised that not all volunteers will be allowed to leave under the Voluntary Severance/ Early Retirement Scheme and applications will be considered at management's discretion.

### "Bumped" Redundancies

The Council may consider voluntary redundancies from **outwith** the pool of affected employees if there has been, or there is expected to be, an insufficient number of volunteers from within the affected pool. In these circumstances, employees may be invited to volunteer for redundancy to make way for employees with transferable skills whose job has become redundant and who do not wish to volunteer to leave the organisation.

Where the required reductions cannot be achieved by the means stated in this section the affected employees will be selected for compulsory redundancy.

#### **SECTION 4: SELECTION CRITERIA FOR COMPULSORY REDUNDANCIES**

The Council will construct a fair and robust set of selection criteria for each pool of affected employees. This will be determined by measuring those in the pool against such criteria as the skills, knowledge, behaviours and competencies that need to be retained by the Council.

#### **SECTION 5: TIME OFF WORK**

An employee under notice of redundancy will be entitled to reasonable paid time off to look for alternative work, attend interviews, etc. Employees wishing to take advantage of this right should make the appropriate arrangements with their line manager.

#### **SECTION 6: COMPENSATORY PAYMENTS**

The compensatory payments made to employees who leave by either voluntary or compulsory redundancy are stated in whichever voluntary severance/ early retirement scheme that applies to those employees.

The amount of compensation payable will be confirmed when the employee is selected for redundancy and the sum will normally be paid along with the employee's final salary payment.

Employees who unreasonably refuse an offer of suitable alternative employment are not entitled to a statutory redundancy payment.

## SECTION 7: APPEALS

Any employee who feels that they have been unfairly dismissed on redundancy grounds has the right of appeal.

The appeal should be submitted in writing to the Council's Appeals by Employees Committee (or equivalent for those employees under SNCT conditions) or the Director within 10 days of receipt of the letter terminating their employment.

## SECTION 8: FLOWCHART

