



Working Together

Redundancy Policy and Procedure

November 2020

History of Changes

Version	Description of Change	Authored by	Date
1.1	Change to statutory period of consultation for over 100 redundancies from 90 days to 45 days in line with legislation	D Kerr	27.11.13
1.2	No changes	D Kerr	March 2017
1.3	Minor changes to names and change to review date from 2 to 3 years	D Kerr	November 2020

1. Introduction

It is the policy of Borders College to ensure – as far as possible – security of employment for its employees, to create a stable work environment in order to gain the commitment of its employees to its corporate objectives. To achieve this, the College will develop effective human resource planning to assist in determining the future numbers and skills of employees that will be required.

2. Scope

This policy and procedure covers all employees.

3. Key Principles

It is recognised that there may be changes in competitive conditions, organisational requirements, technological developments, funding environment or other changes which affect staffing levels.

If redundancies are proposed, the College will consult recognised trade unions at the earliest opportunity with a view to reaching an agreement, and with employees who are to be made redundant, irrespective of whether or not they are members of a recognised trade union.

In consultation with the recognised trade unions, the College will seek to avoid or minimise the effect of redundancies by considering available options.

Where compulsory redundancy is inevitable, the College will handle the redundancy in a fair, consistent, objective and non-discriminatory manner.

Where practicable, the College will provide appropriate support to assist employees to cope with redundancy and find alternative employment.

4. Responsibilities

- 4.1 The Regional Board is responsible for approving this policy and for overseeing compliance with its principles.
- 4.2 The SLT and the Head of HR are responsible for the implementation of this policy.
- 4.3 All staff are responsible for ensuring compliance with this policy.

5. Related Documents

Severance Policy

6. Review

This Policy will be reviewed every three years, or more frequently if necessary.

The following procedure will be followed when dealing with any redundancies:

1.0 Consultation

1.1 The College will consult with recognised trade unions at the earliest opportunity in any situation where redundancies may be a possibility, with a view to reaching an agreement on how the redundancies can be avoided, the number to be dismissed reduced, and how the consequences of the dismissal can be mitigated.

1.2 Consultation will begin at the earliest opportunity, but as a minimum will comply with the following statutory requirements:

- consultation at the earliest opportunity where fewer than 20 employees may be made redundant
- where between 20 and 99 employees may be made redundant, at least 30 days before the date of the first redundancy
- where 100 or more employees may be made redundant, at least 45 days before the date of the first redundancy

1.3 As part of the redundancy procedure, the College will disclose in writing to the recognised trade unions the following information concerning proposals for redundancies so that they can play a constructive part in the consultation process:

- reasons for the proposals;
- numbers and descriptions of employees the College proposes to dismiss as redundant;
- total number of employees of any such description employed at the College;
- the way in which employees will be selected for redundancy; and
- how the dismissals are to be carried out, taking account of agreed procedures, including the period over which the dismissals are to take effect;
- method of calculating amount of redundancy pay.

- 1.4 Any individual who is liable to be affected by the redundancy situation will be sent a letter advising him/her of the situation and inviting him/her to a meeting to discuss the position and consult on ways of avoiding the redundancy. The individual will be advised of his/her right to be accompanied at this meeting by a work colleague or a trade union representative.

2.0 Measures to Avoid or to Minimise Redundancy

- 2.1 Every effort will be made to minimise the number of possible redundancies by considering all or any of the options listed in consultation with the recognised trade unions:
- absorbing redundancy by natural wastage;
 - restricting the recruitment of permanent staff;
 - reducing the use of temporary or contract staff;
 - filling vacancies from among existing employees;
 - training, retraining or redeploying staff for different work for which there is a requirement, either at the same or at a different location;
 - seeking applicants for voluntary redundancy among appropriate existing staff. In the situation of voluntary redundancy, selection from among any volunteers would ultimately be made by the SLT.

3.0 Selection of Employees to be made Redundant

3.1 If, having taken any of the steps outlined above, the number of employees still exceeds requirements, selection will be based on some or all of the following criteria:

- skills: these must be pertinent to the performance of the job and the future requirements of the College;
- qualifications: these must meet the requirements both of the College and customers using the College;
- experience: both experience gained before and after joining the College would be considered;
- standard of work performed, as assessed by the appraisal system;
- attendance record;
- disciplinary record

The appropriate staff representatives will be consulted on the formation of a selection procedure. The exact criteria to be used and the weightings attached to each criterion will also be discussed with the appropriate staff representatives to ensure they are not directly or indirectly discriminatory to any minority group within the College community.

Once criteria are agreed, their application will be the responsibility of the Head of HR and Development who will seek advice from Vice Principals, Assistant Principals or appropriate line managers.

4.0 Informing Employees

4.1 The SLT Manager concerned and a representative from the HR Department will jointly interview the employees affected either to offer a transfer or retraining, where appropriate, or to inform them that they will be made redundant.

4.2 At this interview, full information in writing will be given to the employee on:

- the reasons for being made redundant;
- the alternative jobs that are available;
- the date when the employee will become redundant (the period of notice);
- the entitlement to redundancy pay;
- the assistance the College will provide;
- the employee will be advised of the right of appeal.

The employee has the right to be accompanied/represented by his/her trade union or work colleague.

5.0 Assisting Redundant Employees

5.1 Employees, who are under notice of redundancy, will be given a reasonable amount of paid time off to look for other work or to arrange training.

6.0 Redundancy Payments

Redundancy payments will be in line with current statutory legislation plus any enhancements which will be agreed after meaningful consultation with recognised joint consultative committees, taking into account the financial position of the College at the time of the redundancy being effective. These payments will be applied consistently to all staff who are included in any one redundancy situation.

Where staff are over the age of 50 and are members of a pension scheme, it is recognised that the rules of the pension scheme to which the individual belongs will be a factor in deciding the package available.

7.0 Appeals Procedures

Employees wishing to pursue the fairness of selection may lodge an appeal using the procedures outlined below:

Stage I The appeal should be lodged in writing with the Principal within ten working days of the employee being advised he/she has been selected for redundancy. A decision will be given, or an interview arranged with the Principal and the staff member concerned within seven working days. Where a meeting has been arranged, a decision, in writing, will be given within five working days of the meeting.

Stage II A further appeal may be made for consideration by the Chair Committee of the Regional Board. The Appeal should be submitted in writing to the Head of HR and Development within ten working days of the completion of Stage 1.

In addition, employees have a statutory right to lodge a claim with an Employment Tribunal.

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