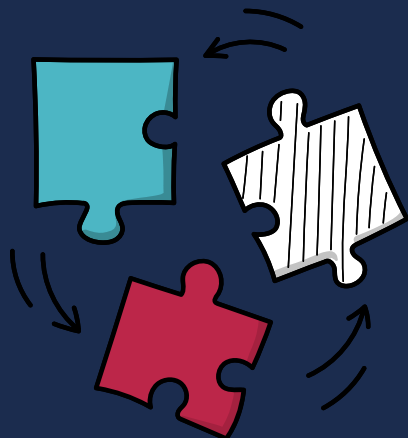


Redundancy

A Starter Guide for Employers

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introduction

Redundancy, as defined in legislation, occurs when an employee is dismissed and the reason for dismissal is wholly or mainly attributable to the fact that:

A. the employer has ceased, or intends to cease, to carry on the business for the purposes of which the employee was employed; or has ceased or intends to cease to carry on that business in the place where the employee was so employed.

OR

B. there is a reduced need for employees of the same category as that employee to carry out work of a particular kind in the place where that employee is employed.

Making an employee redundant is still a form of dismissal. It can be fair or unfair depending on how you handle matters. Various statutory regulations exist relating to redundancies and dismissals.

We know that going through the redundancy process is stressful and most employers dread having to deal with it. The law surrounding the issues that can arise from a redundancy is complex and that's why Sentient is here to help all clients through it.

Here is a starter guide on redundancy to assist employers through a redundancy process from our HR experts here at Sentient.

Our employment experts are available on the advice line – 03456 446 006 - and our on-line document library will provide you with the letters you'll need for every stage.

a genuine redundancy situation

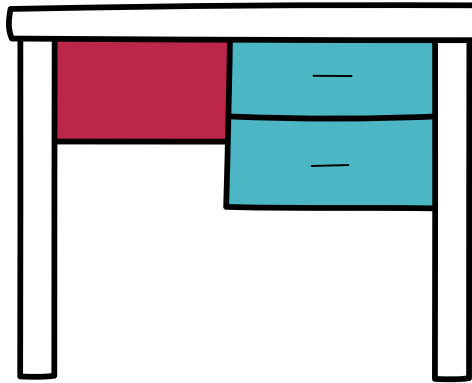
A genuine redundancy arises where fewer workers are needed through reorganisation, closure, relocation or a reduced need for particular skills.

Redundancy should not be used to resolve any other issues including those related to performance, which should be dealt with through disciplinary or performance monitoring procedures.

This means that, providing sound commercial grounds exist and the redundancy is not a smoke screen to hide some other issue, such as poor performance, an employer may have a genuine redundancy situation when they:

- Close down the activity/operation altogether;
- Move it to another location;
- Reduce the number of people employed in departments or sections or even across the board. This may be because of:
 - The need for the worker has diminished or ceased;
 - New systems in the workplace mean less staff are needed;
 - Two job roles have overlapped.





preparation

The key is the preparation - before deciding to make a job redundant in your organisation make sure that this is absolutely necessary. Do you have a clear business case for making redundancies?

You should consider:

- Are your business problems short term? Could you put employees on short time, or lay-off without pay?
- Are you expecting an increase in work in the near future? It is not redundancy if you propose to recruit a direct replacement.
- Can you reduce overtime?
- Can you terminate any agency workers?
- Do you have temporary workers that you could end their contract?
- Do you have employees who have short service (who do not have the right to claim unfair dismissal) whom you could terminate by giving notice? It is strongly recommended that you obtain professional advice before dismissing an employee in these circumstances.

Once you have identified the business case, you then need to identify which roles are at risk. Is a specific role a unique position? Or do you have a number of personnel doing the same/ similar role, whom should be put into a pool and selected from?

consultation

Collective consultation

Where 20 or more are to be made redundant within a 90 day period at one establishment, you will be required to consult for a minimum of 30 days. Where 100 or more are to be made redundant within a 90 day period at one establishment, you will be required to consult for a minimum of 45 days.

What is meant by establishment?

This can be complex and you should contact Sentient for advice, because there is no statutory definition of 'establishment'.

However, we do have case law, and the European Court of Justice found in *USDAW and another v Ethel Austin Ltd* (in administration) and others – known as the Woolworths' case - that the Administrators were right to look at the number of employees assigned to individual stores (the "local employment unit") rather than looking at Woolworths' business as a whole.

It also appears from case law that to amount to an "establishment", the business or undertaking does not need to have:

- Any legal, economic, financial, administrative or technological autonomy;
- A management structure/staff which can independently effect collective redundancies;
- Geographical separation from other units and facilities of the undertaking, and
- Does not need to belong to the employing organisation (rather than to a third party).

Whilst each case will turn on its facts, as a starting point, if geographically, the employees are assigned to a 'local employment unit', this may be considered to be "one establishment" for Collective Consultation purposes. Where you have employees working out in the 'field', relevant factors may be whether the employee is assigned to a particular area office or not. If so, the area office may comprise an "establishment"; if not, the organisation's HQ may be the employing "establishment", for Collective Consultation purposes.

Getting the 'establishment' wrong, could be costly, therefore you are advised to contact Sentient for advice.

Determining the number to be made redundant

In identifying the number to be made redundant, you must include in your total:

- Any voluntary redundancies; and
- employees you're moving into other roles.

You only need to include employees who are on fixed-term contracts if you're making them redundant before the end of their fixed-term contracts and their fixed term contract provides for early termination on the grounds of redundancy. Getting the numbers wrong, could be costly, therefore you are advised to contact Sentient for advice.

Form HR1

You will need to complete and submit Form HR1 to notify the Redundancy Payments Service (RPS), acting on behalf of the Secretary of State for Business, Energy & Industrial Strategy, of a proposal to dismiss 20/100 or more employees as redundant at one establishment within a period of 90 days or less at least 30/45 days before the first dismissal and before you issue any individual notices of dismissal.

Appropriate representatives

Where 20/100 or more are to be made redundant, you are required to:

- Consult with Appropriate Representatives. "Appropriate Representatives" will be either:
 - (a) trade union representatives (provided you recognise the trade union for the affected employees);

OR

(b) employee representatives elected specifically for the purpose of a redundancy consultation exercise OR those already elected as part of your employee relations practices.

If you already recognise an Independent Trade Union you MUST choose option (a).

Affected employees may decline the opportunity to elect a representative. As long as they have genuinely been provided with the opportunity to do so, this need not necessarily present a problem. Where this is the case, you must make sure that all information is provided to the affected employees individually.

You have a statutory duty to provide Appropriate Representatives with a written disclosure of certain specified information. This must:-

- explain the reasons for the proposed redundancies;
- detail the numbers and descriptions of the employees who are proposed to be dismissed as redundant;
- specify the total number of employees of each such description currently employed at the establishment where the redundancies are to take place;
- outline the proposed method of selecting the employees who may be dismissed;
- state the proposed method of carrying out the dismissals with due regard to any agreed procedure including the period over which the dismissals are to take effect;

- state the method of calculating the amount of any redundancy payments to be made to employees who may be dismissed.

Consultation does not stop at the above, you must genuinely include discussion about ways of:

1. avoiding the dismissals
2. reducing the numbers of employees to be dismissed, and
3. mitigating the consequences of the dismissals.

If you fail to comply with statutory consultation procedures, then a complaint may be made to an Employment Tribunal. The maximum penalty could be an order by the Employment Tribunal to make a Protective Award to those dismissed, or proposed to be dismissed, of up to 90 days' pay.

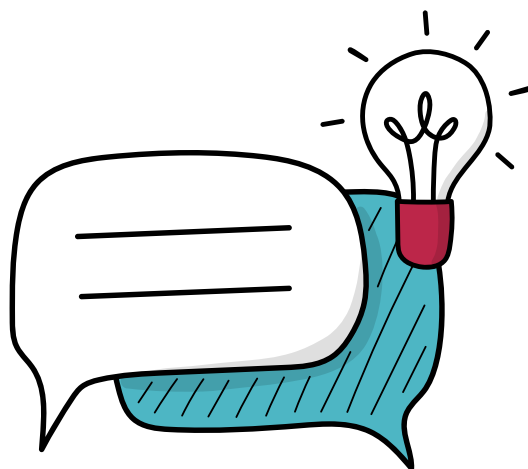
What is the procedure if collective consultation does not apply?

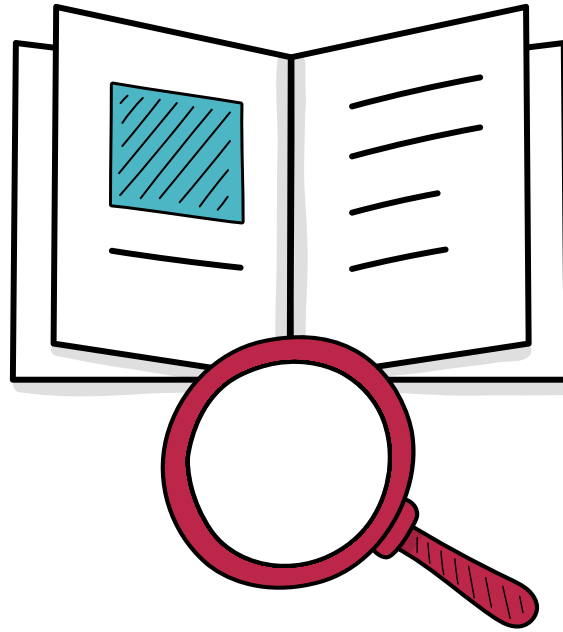
In summary, where collective consultation does not apply (i.e. less than 20 employees at one establishment is to be made redundant), there is no minimum consultation period, but you need to:

- have meaningful consultation;
- go through a selection process (if applicable); and
- explore any redeployment options (e.g. can you offer suitable alternative employment?)

When do you start consultation?

You must start consultation in good time, and at the earliest opportunity.





selection

It is vital that when selecting employees for redundancy, a fair and reasonable process is applied. This requires impartiality and objectivity on behalf of those making the selections. Any decision is best defended where records can be produced to justify the decision taken.

Selection Criteria

Many different criteria have been used to select for redundancy and the best advice is to use those that can be evidenced by measurable factual data. Examples could be taken from the following:-

Skills, experience and the ability to perform other jobs;

Disciplinary, absence and timekeeping records;

Performance standards;

The ability to be transferred to other work*;

Flexibility*;

Attitude*;

Qualifications;

Length of service.

* These should only be used when genuine evidence can be presented to substantiate the rating given. Normally you will need to explain individual scores to the individuals involved so when using more subjective criteria you must be able to demonstrate consistency and fairness.

Assessment

Ideally more than one manager should assess the employees in the selection pool. They should have direct knowledge of those in the pool, particularly when assessing the more subjective criteria such as attitude.

It is possible to apply weightings to the most important criteria which will usually be those relating to the core aspects of the remaining jobs and tasks. When carrying out a rating/ scoring exercise please take note of the following:-

Skills, experience and the ability to perform other jobs.

Base scores on recorded skills or competency records where they exist. Beware of down marking part-time employees who may have limited opportunity to gain extra skills because of their reduced working time.

Disciplinary record.

Only consider current active warnings.

Absence record.

Factual absence records will allow you to rate on the basis of Total Time Lost and the Frequency of periods of absence. However, you should discount any absence that relates to Disability, Pregnancy, or Dependant, Parental, Shared Parental, Paternity, Adoption or Maternity leave.

Timekeeping record.

Again use factual records and discount any lateness that relate to Disability or Pregnancy.

Performance standards.

Refer to any written and recent performance appraisal records, individual bonus, piece rate schemes.

The ability to be transferred to other work.

Ensure that any opinion of aptitude is based on objective evidence.

Flexibility.

This is a very subjective criteria and scoring is easily influenced by favour. It should only be used where there are key issues to indicate how the score is arrived at

Attitude.

See above comments for Flexibility.

Qualifications.

Only rely upon qualifications that have a direct relevance to the jobs remaining.

Length of service.

This criteria should only be used as one of a number of criteria. Use of service as a deciding factor or a sole criteria such as “last in, first out” could potentially be discriminatory on grounds of Age.

bumping

Bumping is the process of moving a potentially redundant employee (A) into another role, and dismissing the employee currently performing that role (B).

This is still a redundancy dismissal, even if there is no actual or anticipated diminution in the requirements for employees to do B's work. However, there is a risk that B might believe the dismissal to be unfair, and therefore you should seek advice beforehand.

offering suitable alternative employment

If you are able to offer Suitable Alternative Employment, but the employee does not accept – it may mean that the employee forfeits their entitlement to redundancy pay. However, what constitutes Suitable Alternative Employment depends on all the circumstances/factors and we would advise you contact us to discuss this issue.

Re-deployment to Alternative Employment – Trial Period

As an alternative to being dismissed on grounds of redundancy, employees will often accept another position. When this occurs it usually means they also accept the terms and conditions of the new job.

The employee is entitled to a four-week trial period in the alternative job, during which both you and the employee can see how things go. You can agree a longer period with the employee if you wish.

If the employee feels the job is not suitable and they resign from it, then providing the resignation is during the trial period they retain the right to be treated as redundant and to receive the appropriate severance pay.

Once the trial period has expired the employee is deemed to have accepted the new position. You will have no obligation under these circumstances to make any redundancy payment to them, even if they leave shortly after the end of the trial period.

time off to attend interviews

Employees with a minimum of two years' continuous service and who have been declared redundant are entitled to "take reasonable time off during working hours before the end of his/her notice in order to look for new employment or make arrangements for training for further employment". You do not have to pay more than 40% of a week's pay, no matter how much time off you allow. For example, if an employee gets paid £500 a week for a 5-day working week, the most you would have to pay them for their time off is £200 (40% of their weekly pay). This stays the same even if they take more than 2 days off. If you are in any doubt, you should seek advice from Sentient.

redundancy payments

An employee whose job is redundant is entitled to receive redundancy pay providing they have at least two years of continuous service.

The amount of pay due is calculated in two steps. Firstly, you determine how many weeks' pay is due. This is done by reference to the period of continuous employment and the age of the employee as at the end of their notice period. Periods of broken service do not count and only completed years of service qualify.

The calculation is based on the following age thresholds:

Age & Service	Pay
For each year of service age 16 but under 22	0.5 week per year of service
For each year of service age 22 but under 41	1 week per year of service
Service from 41st birthday onwards	1.5 weeks per year of service

The calculations can be complex, especially when service spans more than one band. Appendix 1 is a chart to assist in calculating the number of weeks' redundancy pay due. It is important that you take advice when calculating redundancy pay.

A maximum of 20 years' service can be taken into account so it follows that the maximum number of weeks' pay that can be due is 30.

Step two takes the number of weeks' pay and multiplies it by either the employee's average pay for a normal week or the Statutory Maximum whichever is the lower amount. The Statutory Maximum changes every year, so please contact Sentient to obtain the prevailing Statutory Maximum amount.

If the pay varies the amount of a week's pay is averaged over 12 weeks prior to the 'calculation date'.

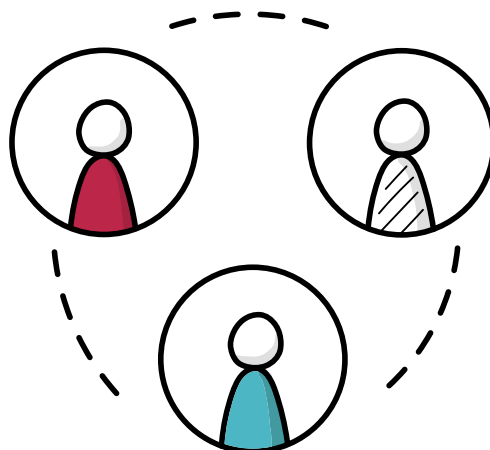
The Statutory Maximum is set by legislation each year. You can elect to pay more if you wish. If you pay an enhanced amount you should check Inland Revenue (tax) implications for severance pay and ensure that the extra payments are not discriminatory.

Exclusions from Redundancy Pay

Under certain circumstances there is no entitlement to redundancy pay. For example, if the employee:

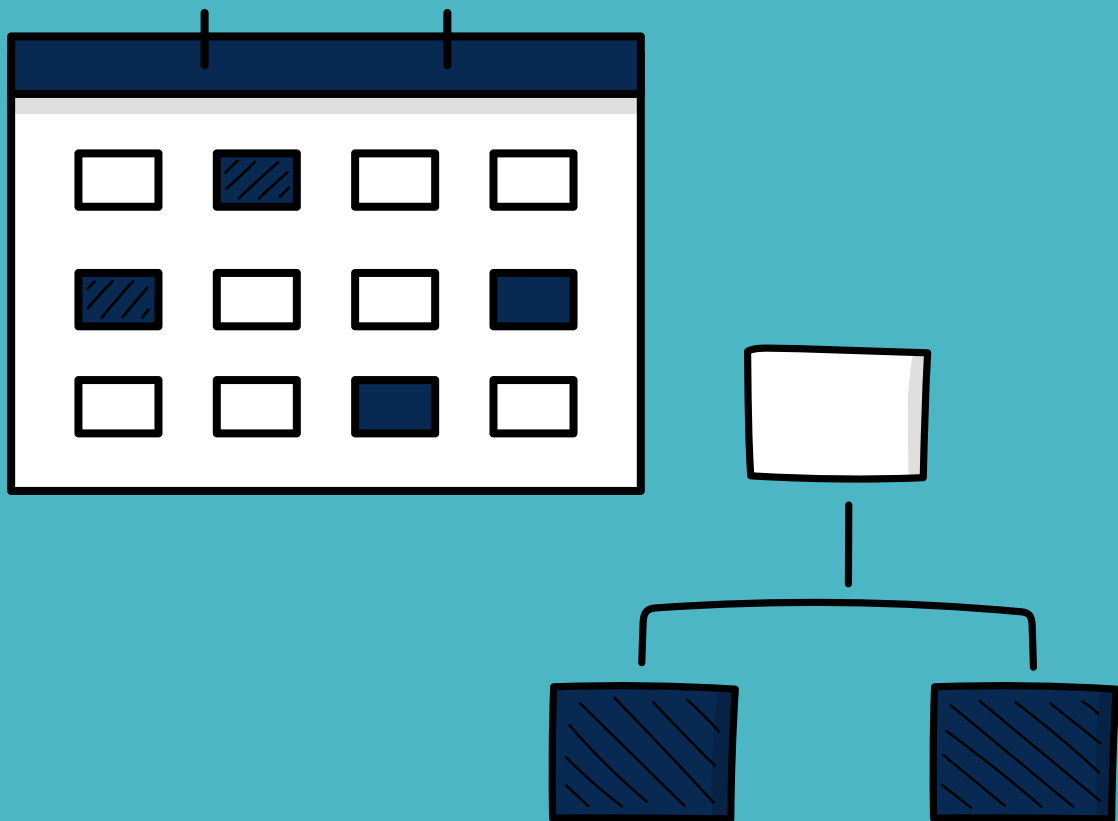
- has less than 2 years' continuous service
- is dismissed on grounds of gross misconduct whilst under notice of dismissal on grounds of redundancy
- unreasonably refuses an offer of suitable alternative employment
- is on strike and then dismissed for redundancy (if, the notice of redundancy preceded the strike action the redundancy pay is due)
- is genuinely not an employee
- ordinarily works outside Great Britain unless on the relevant date the employee is in Great Britain in accordance with instructions given by the employer or the contract states it is governed by UK law
- is employed as a domestic servant where the employer is a close relative

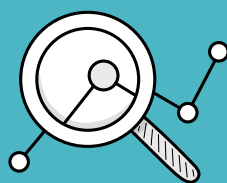
Those in the following types of work do not qualify for redundancy pay: armed forces / crown servants / Police / share fishing / domestic service, (where they're a member of the employer's immediate family) or apprentices who are not employees at the end of their training.



timeframes for the redundancy procedure

(with no collective consultation – i.e. less than 20 employees affected)





Date	Action	Comment
Day 1	Announcement	<p>If possible, arrange a group meeting with ALL staff within the establishment, and make the announcement.</p> <p>The announcement should:</p> <ul style="list-style-type: none"> • explain the reasons for the proposed redundancies; • detail the numbers and descriptions of the employees who are proposed to be dismissed as redundant; • outline the proposed method of selecting the employees who may be dismissed; • state the proposed method of carrying out the dismissals with due regard to any agreed procedure including the period over which the dismissals are to take effect; • state the method of calculating the amount of any redundancy payments to be made to employees who may be dismissed. <p>Invite anyone who wishes to volunteer for redundancy (but make it clear that you are not bound to accept) – indicate when and to whom any request for voluntary redundancy should be made. Explain that this is the start of a period of consultation.</p> <p>At the first meeting the staff will not have had time to give any thought to it previously. Either set up another meeting to allow them to air any views; or ask them to email any comments/representations by a specific time on a specific date.</p>

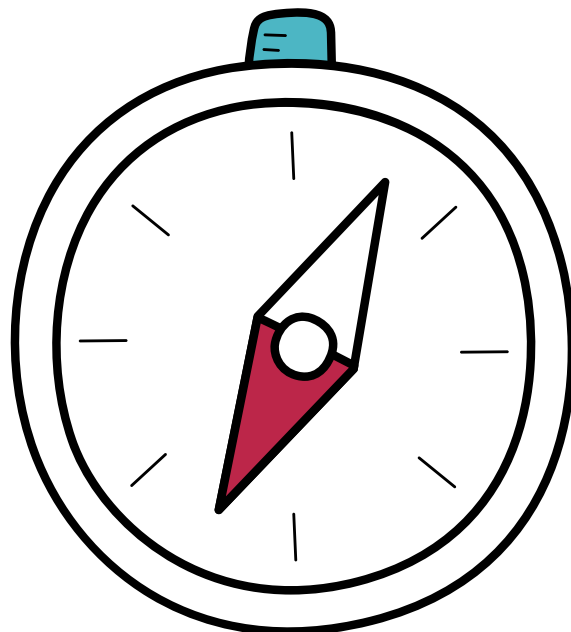
Date	Action	Comment
	Confirmation by letter	<p>It is advisable to send an email/letter confirming what has been discussed.</p> <p>If it was not possible to hold a group meeting, then send a letter starting the process. This letter should include the above information.</p>
Say Day 4	Second group meeting Consider any representations received	<p>At the second meeting – this is the opportunity to listen to any representations made by any employee.</p> <p>After the meeting (or any time period for representations to be submitted has elapsed), you should consider:</p> <ul style="list-style-type: none"> • Any requests made for voluntary redundancy; • Any representations that have been made.
Say Day 5/6/7?		<p>Volunteers</p> <p>If an acceptable volunteer has come forward, and having considered the request, you will need to invite the volunteer to a formal meeting. This must be set up by letter which includes:</p> <ul style="list-style-type: none"> • The meeting will consider his/her request for voluntary redundancy • This meeting may result in his/her redundancy being confirmed • That he/she has the right to be accompanied by a working colleague or TU representative <p>Hold the meeting and confirm acceptance of his request for voluntary redundancy – discuss the mechanics of notice – work it/garden leave/Pay in Lieu of Notice (PILON)?</p> <p>If someone volunteers but you do not wish them to leave, meet with them and explain the reason as to why you are not able to accept the request at this time. In this situation, you should seek advice beforehand.</p>

Date	Action	Comment
Day 5/6/7	Letter	<p>Send a letter to all affected employees confirming either:</p> <ul style="list-style-type: none"> • Due to number of volunteers, the Company no longer needs to make compulsory redundancies; • Due to the representations advanced, suggesting an alternative to redundancy, the Company no longer needs to make compulsory redundancies; or • Unfortunately the request for volunteers and representations as to how we might avoid redundancies has not resulted in alternatives being found such that we can avoid compulsory job loss. Reiterate or provide update detail of the number of employees to be selected from the establishment/various departments.
Say Day 6/7	Prep	<p>Compulsory Redundancy</p> <p>Is the post being made redundant a unique role; or do you need to select from a pool of employees who perform the same (or similar) type of work?</p> <p>If so, identify the redundancy pool from which you will select a person or persons to be made redundant.</p> <p>Can you confine the pool to a specific department/team; or do you have other departments that do similar work, that should be included within one greater pool – from whom to make a selection?</p> <p>Once you have identified the pool – you will need to score the employees against the selection criteria. Getting the ‘pool’ wrong, could render any dismissal as unfair.</p>

Date	Action	Comment
Say Day 6/7	Letter	<p>Write to the employees setting up a date and time for the first individual consultation meeting.</p> <p>Where you have gone through a selection process (i.e. the person is not in a unique role), send with the letter, a copy of their individual provisional scores – for those who's scores put them in the 'at risk' category, you should explain that as the scores stand, they are "at risk", and to what extent they are at risk.</p>
Say Day 8/9	First Individual Meeting	<p>This is First individual meeting.</p> <p>At this meeting, you need to reiterate the reason for the redundancy. Listen to what the employee has to say on the proposed redundancy. This is a further opportunity for the Employees to put forward any suggestions as an alternative to redundancy.</p> <p>Where applicable, go through the provisional scores with the employee and explain that as it stands, they are (or are not) at risk of being selected for redundancy. Listen and consider any representations they wish to make regarding their scores. If they challenge the scoring against specific criteria, listen to why they believe it is wrong. If something has been overlooked or an error made, then adjust their scores; but otherwise you need to justify the score that has been given.</p> <p>Does the adjustment take them out of the 'at risk' category? Does this put another employee in the 'at risk' category? If so, the newly affected person will then need the same individual consultation.</p> <p>Advise of any redeployment opportunities (how to apply and in what timescales) or confirm there are no redeployment opportunities.</p>

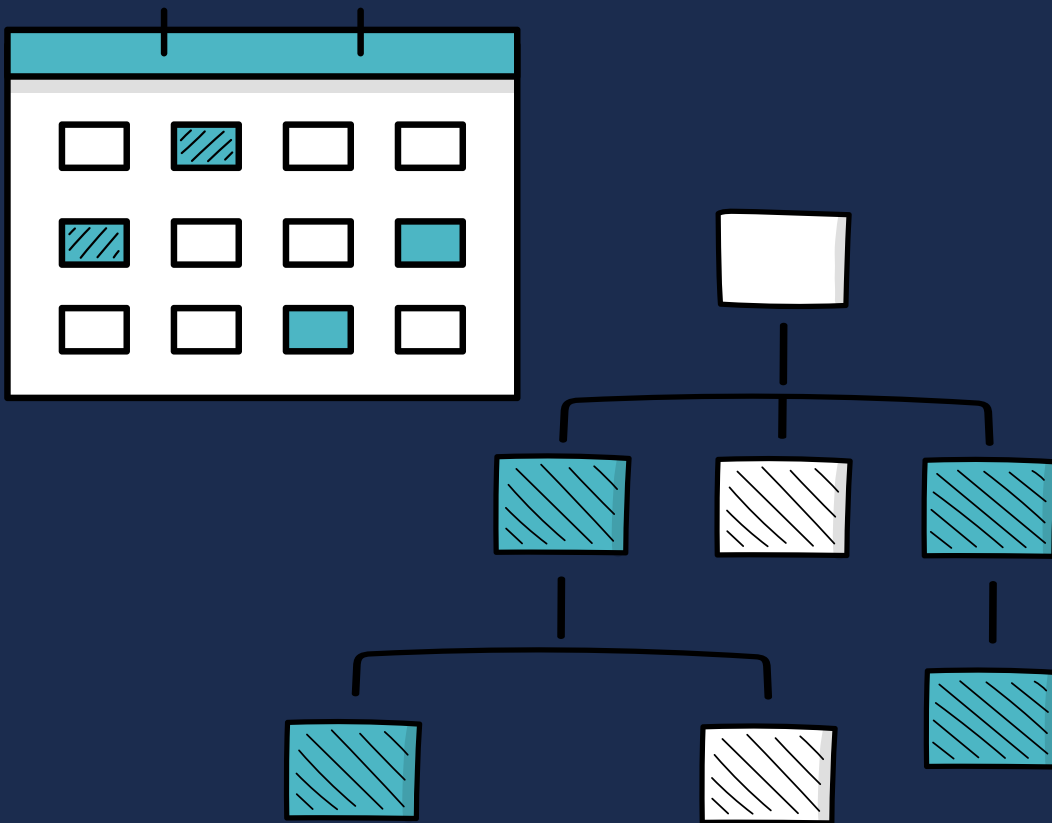
		<p>If an employee asks what the redundancy package is, you should explain you will calculate and provide that information to them separately. Do not have that information available in the meeting, as it might suggest the employee's selection has been pre-determined.</p>
Say Day 10	Letter	<p>To those who have been selected for redundancy - send a letter detailing what has been discussed:</p> <ul style="list-style-type: none"> • confirming that they have been selected; • detail any redeployment opportunities; and <p>confirm the date/time for a final consultation meeting. This letter must inform them that the final consultation meeting may result in a decision to confirm their redundancy; and that he/she has the right to be accompanied by a working colleague or trade union official.</p>
Say Day 12/14	Second/Final consultation meeting EE to have the right to be accompanied	<p>Respond to any points made in the last meeting that need to be considered.</p> <p>Obtain employee's opinion on any alternative position and/or listen to any other suggestions the EE has to suggest.</p> <p>Explain that the Company has not come up with any alternative (or explain any alternative and discuss this with the employee). In the absence of any alternative, advise that the position is redundant.</p> <p>Confirm that you are giving notice of redundancy and that they are:</p> <ul style="list-style-type: none"> • required to work the notice period; • notice period to be on garden leave; or • Paid in Lieu of Notice (PILON). <p>Confirm last day of service.</p>

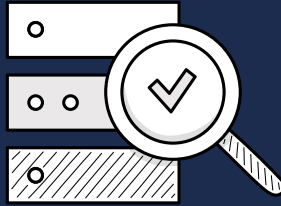
		Confirm amount of statutory redundancy pay (if entitled) and any accrued but untaken holiday.
Day 12/14	Confirmation Letter	<p>Send a letter confirming the dismissal by reason of redundancy. Confirm last day of employment etc, and reiterate statutory entitlement.</p> <p>Offer Right of Appeal, and explain procedure - employee to write to whom within set period of time with grounds of appeal.</p>
		Communicate to everyone else that consultation period is at an end. Thank them for being understanding during the consultation process. Discuss any new working arrangements moving forward.



timeframes for the redundancy procedure

(with collective consultation)





Where more than 20 employees are affected, the minimum consultation period is 30 days; if more than 100 employees are affected, the minimum consultation period is 45 days. The following timeline is based on a minimum 30 day consultation period. Where more than 100 employees are affected, the timeline will need to be adjusted accordingly.

Date	Action	Comment
	Preliminary Step	<ul style="list-style-type: none"> • If you recognise a Trade Union, you will need to contact the union to commence consultation. • If you do not recognise a union, but already have elected employee representatives for the purpose of collective consultation, you will need to consult with the employee representative OR you will need to facilitate the election of employee representatives.
		<ul style="list-style-type: none"> • If you need to elect Employee Representatives – you will need to: Hold a group meeting, or issue a letter to all employees explaining: • The Company is considering potential redundancies; and that it is necessary for the employees to elect Employee Representatives. • The number of representatives to be elected (e.g. one or two from each affected area of the business); • The Election process: <ul style="list-style-type: none"> • Employees to Nominate a colleague by a specific date; (Employee to ensure the person they nominate are happy to be nominated); • Dependent upon number of

		<p>nominees, the Company will issue a ballot paper to all employees; employees to 'vote' for their representative on specified date;</p> <ul style="list-style-type: none"> • Elected Representatives to be announced on date. <p>And go through the Election process.</p> <p>If the employees decline the opportunity to elect a representative(s) it would be possible to consult with all employees as long as all the required information is provided to the affected employees individually.</p>
	Preliminary Step	You will need to complete Form HR1 and submit to the Redundancy Payment Service; and provide a copy to the Trade Union / Employee Representatives.
Day 1	Announcement	<p>If possible, arrange a meeting with the Representatives, and make the announcement. The announcement should:</p> <ul style="list-style-type: none"> • explain the reasons for the proposed redundancies; • detail the numbers and descriptions of the employees who are proposed to be dismissed as redundant; • specify the total number of employees of each such description currently employed at the establishment where the redundancies are to take place; • outline the proposed method of selecting the employees who may be dismissed; • state the proposed method of carrying out the dismissals with due regard to any agreed procedure including the period over which the dismissals are to take effect; • state the method of calculating the amount of any redundancy payments to be made to employees who may be dismissed.

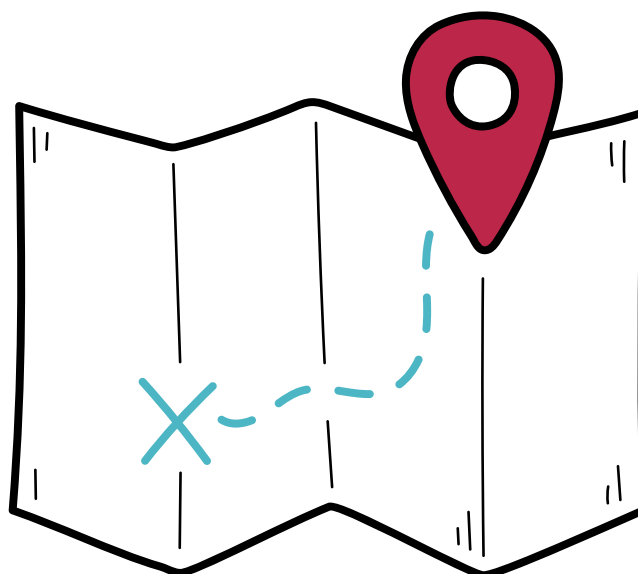
		<p>The above information should be provided in writing.</p> <p>Explain that this is the start of a period of consultation, and (if not addressed in the above information) that you will consider anyone who wishes to volunteer for redundancy (but make it clear that you are not bound to accept) – indicate when and to whom any request for voluntary redundancy should be made.</p> <p>You will need to facilitate time for the representatives to speak to the employees they represent.</p>
		<p>Either set up another meeting with the Representatives to allow them to provide feedback to management following their interaction with the group they represent; or ask them to email any comments/representations by a specific time on a specific date.</p>
Say Day 5/6/7	Second Meeting	<p>At the second meeting – this is the opportunity to listen to any representations made by the representatives.</p> <p>After the meeting (or the time period for representations to be submitted has elapsed), you should consider:</p> <ul style="list-style-type: none"> • Any requests made for voluntary redundancy; • Any representations that have been made.
Say Day 6/7/8	Preliminary Step	<p>Volunteers</p> <p>If an acceptable volunteer has come forward, and having considered the request, you will need to invite the volunteer to a formal meeting. This must be set up by letter which includes:</p> <ul style="list-style-type: none"> • The meeting will consider his/her request for voluntary redundancy

		<ul style="list-style-type: none"> • This meeting may result in his/her redundancy being confirmed • That he/she has the right to be accompanied by a working colleague or TU representative <p>Hold the meeting and confirm acceptance of his request for voluntary redundancy – discuss the mechanics of notice – work it/garden leave/Pay in Lieu of Notice (PILON)?</p> <p>If someone volunteers but you do not wish them to leave, meet with them and explain the reason as to why you are not able to accept the request at this time. In this situation, you should seek advice beforehand.</p>
Day 10	Letter	<p>Send a letter to the Representatives confirming either:</p> <ul style="list-style-type: none"> • Due to number of volunteers, the Company no longer needs to make compulsory redundancies; • Due to the representations advanced, suggesting an alternative to redundancy, the Company no longer needs to make compulsory redundancies; • Unfortunately, the request for volunteers and representations as to how we might avoid redundancies has not resulted in alternatives being found such that we can avoid compulsory job loss. Reiterate or provide update detail of the number of employees to be selected from the establishment/various departments.
Say Day 10-12	Prep	<p>Compulsory Redundancy</p> <ul style="list-style-type: none"> • Is the post being made redundant a unique role; or do you need to select from a pool of employees who perform the same (or similar) type of work?

		<ul style="list-style-type: none"> • The redundancy pool from which you will select a person or persons to be made redundant, should have already been identified at the outset. • Score the employees against the selection criteria.
Say Day 12-14	Letter	<p>Write to the employees setting up a date and time for the first individual consultation meeting. The Employee may be accompanied by a Trade Union/ Elected Employee representative if they wish.</p> <p>Where you have gone through a selection process (i.e the person is not in a unique role), send with the letter, a copy of their individual provisional scores – for those who's scores put them in the 'at risk' category, you should explain that as the scores stand, they are at risk, and to what extent they are at risk.</p>
Say Day 15-25	First Individual Meeting	<p>This is First individual meeting.</p> <ul style="list-style-type: none"> • At this meeting, need to reiterate the reason for the redundancy. Listen to what the employee has to say on the proposed redundancy. This is a further opportunity for the Employees to put forward any suggestions as an alternative to redundancy. • Where applicable, go through the provisional scores with the employee and explain that as it stands they are at risk of being selected for redundancy. Listen and consider any representations they wish to make regarding their scores. If they challenge the scoring against a specific criteria, listen to why they believe it is wrong. If something has been • overlooked or an error made, then adjust their scores; but otherwise you need to justify the score that has been given.

		<p>Does the adjustment take them out of the 'at risk' category? Does this put another employee in the 'at risk' category? If so, the newly affected person will then need the same individual consultation.</p> <p>Advise of any redeployment opportunities (how to apply and in what timescales) or confirm there are no redeployment opportunities. If an employee asks what the redundancy package is, you should explain you will calculate and provide that information to them separately.</p> <p>Do not have that information available in the meeting, as it might suggest the process has been pre-determined.</p>
Say Day 25	Letter	<p>To those who have been selected for redundancy - send a letter detailing what has been discussed:</p> <ul style="list-style-type: none"> • confirming that they have been selected; • detail any redeployment opportunities; and • confirm the date/time for a final consultation meeting. <p>This letter must inform them that the final consultation meeting may result in a decision to confirm their redundancy and that he/she has the right to be accompanied by a working colleague or trade union official.</p>
Say Day 30	<p>Second/Final consultation meeting</p> <p>EE to have the right to be accompanied, by Trade Union Rep, or any Work Colleague (not limited to Elected Employee Rep)</p>	<p>Respond to any points made in the last meeting that need to be considered.</p> <p>Listen to any other suggestions the employee has to suggest.</p> <p>Explain that the Company has not come up with any alternative (or explain any alternative and discuss this with the employee). In the absence of any alternative, advise that the position is redundant.</p>

		<p>Confirm that you are giving notice of redundancy and that they are:</p> <ul style="list-style-type: none"> • required to work the notice period; • notice period to be on garden leave; or • Paid in Lieu of Notice (PILON). <p>Confirm last day of service.</p> <p>Confirm amount of statutory redundancy pay (if entitled) and any accrued but untaken holiday.</p>
Day 30	Confirmation Letter	<p>A letter confirming the dismissal by reason of redundancy. Last day of employment etc, and reiterate entitlements. Offer Right of Appeal, and explain procedure EE to write to whom within set period of time with grounds of appeal.</p>
		<p>Communicate to everyone else that consultation period is at an end. Thank them for being understanding during the consultation process. Discuss any new working arrangements moving forward.</p>

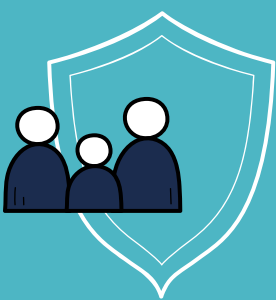


statutory redundancy pay ready reckoner

To calculate number of weeks' pay due, read off employee's age and number of complete years' service.

Service (Years)																			
	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20
Age																			
18	1																		
19	1	1 ½																	
20	1	1 ½	2																
21	1	1 ½	2	2 ½															
22	1	1 ½	2	2 ½	3														
23	1 ½	2	2 ½	3	3 ½	4													
24	2	2 ½	3	3 ½	4	4 ½	5												
25	2	3	3 ½	4	4 ½	5	5 ½	6											
26	2	3	4	4 ½	5	5 ½	6	6 ½	7										
27	2	3	4	5	5 ½	6	6 ½	7	7 ½	8									
28	2	3	4	5	6	6 ½	7	7 ½	8	8 ½	9								
29	2	3	4	5	6	7	7 ½	8	8 ½	9	9 ½	10							
30	2	3	4	5	6	7	8	8 ½	9	9 ½	10	10 ½	11						
31	2	3	4	5	6	7	8	9	9 ½	10	10 ½	11	11 ½	12					
32	2	3	4	5	6	7	8	9	10	10 ½	11	11 ½	12	12 ½	13				
33	2	3	4	5	6	7	8	9	10	11	11 ½	12	12 ½	13	13 ½	14			
34	2	3	4	5	6	7	8	9	10	11	12	12 ½	13	13 ½	14	14 ½	15		
35	2	3	4	5	6	7	8	9	10	11	12	13	13 ½	14	14 ½	15	15 ½	16	
36	2	3	4	5	6	7	8	9	10	11	12	13	14	14 ½	15	15 ½	16	16 ½	17
37	2	3	4	5	6	7	8	9	10	11	12	13	14	15	15 ½	16	16 ½	17	17 ½
38	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	16 ½	17	17 ½	18
39	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	17 ½	18	18 ½
40	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	18 ½	19
41	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	19 ½
42	2 ½	3 ½	4 ½	5 ½	6 ½	7 ½	8 ½	9 ½	10 ½	11 ½	12 ½	13 ½	14 ½	15 ½	16 ½	17 ½	18 ½	19 ½	20 ½
43	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21
44	3	4 ½	5 ½	6 ½	7 ½	8 ½	9 ½	10 ½	11 ½	12 ½	13 ½	14 ½	15 ½	16 ½	17 ½	18 ½	19 ½	20 ½	21 ½
45	3	4 ½	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22
46	3	4 ½	6	7 ½	8 ½	9 ½	10 ½	11 ½	12 ½	13 ½	14 ½	15 ½	16 ½	17 ½	18 ½	19 ½	20 ½	21 ½	22 ½
47	3	4 ½	6	7 ½	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23
48	3	4 ½	6	7 ½	9	10 ½	11 ½	12 ½	13 ½	14 ½	15 ½	16 ½	17 ½	18 ½	19 ½	20 ½	21 ½	22 ½	23 ½
49	3	4 ½	6	7 ½	9	10 ½	12	13	14	15	16	17	18	19	20	21	22	23	24
50	3	4 ½	6	7 ½	9	10 ½	12	13 ½	14 ½	15 ½	16 ½	17 ½	18 ½	19 ½	20 ½	21 ½	22 ½	23 ½	24 ½
51	3	4 ½	6	7 ½	9	10 ½	12	13 ½	15	16	17	18	19	20	21	22	23	24	25
52	3	4 ½	6	7 ½	9	10 ½	12	13 ½	15	16 ½	17 ½	18 ½	19 ½	20 ½	21 ½	22 ½	23 ½	24 ½	25 ½
53	3	4 ½	6	7 ½	9	10 ½	12	13 ½	15	16 ½	18	19	20	21	22	23	24	25	26
54	3	4 ½	6	7 ½	9	10 ½	12	13 ½	15	16 ½	18	19 ½	20 ½	21 ½	22 ½	23 ½	24 ½	25 ½	26 ½
55	3	4 ½	6	7 ½	9	10 ½	12	13 ½	15	16 ½	18	19 ½	21	22	23	24	25	26	27
56	3	4 ½	6	7 ½	9	10 ½	12	13 ½	15	16 ½	18	19 ½	21	22 ½	23 ½	24 ½	25 ½	26 ½	27 ½
57	3	4 ½	6	7 ½	9	10 ½	12	13 ½	15	16 ½	18	19 ½	21	22 ½	24	25	26	27	28
58	3	4 ½	6	7 ½	9	10 ½	12	13 ½	15	16 ½	18	19 ½	21	22 ½	24	25 ½	26 ½	27 ½	28 ½
59	3	4 ½	6	7 ½	9	10 ½	12	13 ½	15	16 ½	18	19 ½	21	22 ½	24	25 ½	27	29	29
60	3	4 ½	6	7 ½	9	10 ½	12	13 ½	15	16 ½	18	19 ½	21	22 ½	24	25 ½	27	28 ½	29 ½
61+	3	4 ½	6	7 ½	9	10 ½	12	13 ½	15	16 ½	18	19 ½	21	22 ½	24	25 ½	27	28 ½	30

**For more advice and guidance,
visit sentientuk.co.uk, or talk to
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