Redundancy and Redeployment Policy

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Northumberland National Park

REDUNDANCY AND REDEPLOYMENT POLICY

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Introduction

Northumberland National Park Authority strives to be an employer that people aspire to work for, and as such believes in taking all reasonable steps to avoid redundancies.

However, it has to be accepted, that from time to time modernisation, service improvements, reorganisations and unfavourable financial considerations affect staffing levels or the need for particular types of job roles, and redundancies may become necessary.

Where this occurs, the Authority is committed to minimising the effects and to giving reasonable support to those employees who are affected.

Application

This policy applies to all employees.

Consultation

The Authority believes in working positively with the recognised trade unions and professional associations to resolve problems and to minimise the impact on employees. Therefore, consultations, including those with individual employees, will be timely and meaningful, and all positive suggestions will be given serious consideration.

Avoiding or Minimising Redundancy

Early planning is important in order to minimise the effects of redundancies.

The Authority will take all reasonable steps to avoid or minimise redundancies. The strategy adopted may vary with each redundancy situation, but typically could include:

- seeking volunteers for redundancy / early retirement where this can be justified in the financial or managerial interests of the Authority and in accordance with the normal procedures for approving applications;
- redeployment and retraining procedures;
- achieving the necessary reductions through natural wastage;
- freezing recruitment, or only appointing temporary employees, or filling vacancies from existing employees;
- reviewing contracted-out work; or
- seeking voluntary reductions in working hours, or volunteers for part time working.

Voluntary Redundancy

In periods of considerable change the Authority will consider setting up a temporary package for voluntary redundancy, with terms enhanced in comparison with those made available for staff being made compulsorily redundant. The aim of such a package would be to minimise the number of compulsory redundancies and ease the transition process for the individual.
Voluntary redundancy is at the discretion of the Authority and can only be accepted where there is a reasonable business case. There is no right of appeal.

**Redeployment**

**Redeployment Policy Statement**

There are times when, for a whole range of reasons, the Authority as a good employer will wish to secure redeployment for an individual or group of employees. The Authority’s primary objective in this context is to protect and maintain employment as far as is reasonably practicable before other options are considered. Many cases are likely to be due to organisational changes required through continuous improvement in service delivery, or because of changes necessary for the Authority to achieve its objectives, and as such will normally be outside of the control of an individual employee. Seeking redeployment is a legal obligation in most cases where:

- it may be considered a ‘reasonable adjustment’ under the Disability Discrimination Act;
- there are proposed re-organisations or redundancies;
- there is a possibility of granting a permanent ill-health retirement pension, or dismissing on the grounds of ill health; and
- any other dismissal can be avoided (dismissal on grounds of gross misconduct is excluded).

In addition to these legal obligations, the over-riding factor is that the Authority is committed to good employment practices, including the Investors in People initiative, and is therefore committed to the retention of employees with valuable skills and experience. Contact Officers and others involved in implementing this policy must be clear about their responsibilities and be committed to delivering the policy, minimising dismissals and retaining employees on a corporate basis.

**Eligibility**

Employees are eligible for alternative employment if their post has been identified as being “at risk”. Employees who have been employed on a fixed term contract for less than one year will be given second priority for redeployment. First priority will be given to permanent employees and employees on fixed term contracts with more than one year’s service.

**General Principles**

The following general principles apply whenever Authority employees are deemed ‘at risk’:

- there is a legal duty on managers to consult with an employee at all stages of the process where dismissal may be an outcome. This requirement covers dismissal on the grounds of ill health, redundancy or disability.
- efforts to secure redeployment under this policy will commence as soon as an employee or a group of employees is confirmed ‘at risk’. It cannot be
emphasised strongly enough that seeking redeployment should start early and be managed in a **positive** manner with a view to minimising dismissals and retaining and developing valuable employees.

- no relevant vacancies should be filled permanently until ‘at risk’ employees have been properly considered for the posts in question.
- departments with ‘at risk’ employees are responsible for ensuring that all relevant vacancies are brought to the attention of the employees concerned.
- although the Authority is committed to minimising dismissals, employees themselves must actively seek and pursue redeployment. The process is active rather than passive by all parties concerned.
- where there are no ‘like for like’ opportunities available, ‘at risk’ employees will be encouraged to explore employment opportunities beyond the scope of their current post and consider issues such as career change and personal development.

**Procedure Summary**

The following summary of the procedure to be followed should be read in conjunction with the detailed guidance:

- employing Department identifies potential ‘at risk’ employee(s) and the reasons why.
- ‘at risk’ status is agreed by the relevant Head of Department.
- The Head of Department decides whether the circumstances of the case require all vacancies or specific types of vacancy to be ring fenced on a corporate basis.
- employee(s) and Trade Unions are notified of ‘at risk’ status and reasons why by the Department concerned.
- the ‘Contact Officer’ is the Human Resources Officer or other nominated Officer;
- all ‘at risk’ employees are notified to the Contact Officer as soon as possible by the appropriate Head of Department.
- The Contact Officer checks all current vacancies as they arise and directs ‘at risk’ employees to suitable vacancies.

**Procedure Guidance**

**In All Cases**

**Contact Officer role**

Usually the Human Resources Officer will be the Contact Officer. However, in some circumstances it may be necessary to identify other appropriate managers as Contact Officers e.g. where ‘at risk’ employees work in remote locations or where there are many people ‘at risk’. Where this is the case, the Human Resources Officer will support and advise Contact Officers and co-ordinate the application of this policy. The Contact Officer will provide information and support to the employee throughout the process and will be responsible for facilitating the policy. They must ensure that the progress of each case is actively reviewed and reported to the appropriate Manager on a regular basis.
The Contact Officer will establish and maintain close individual contact with all ‘at risk’ employees to explain the procedure, discuss the types of jobs that may be suitable, and ask the employee to complete the relevant parts of a standard application form. This application form can then be targeted to suitable vacancies that arise. Some employees may find it helpful to be assisted by their Contact Officer in this respect, especially if the individual concerned has not recently completed job application forms. It is essential that knowledge, skills, experience, and all other positive attributes are highlighted on the form as this will be used as an initial assessment tool for suitable posts. Advice on career and job search training is available from the Contact Officer.

The Contact Officer will complete a redeployment log in consultation with the employee (Appendix A) showing alternative positions sought, minimum and maximum hours and any other considerations to be taken into account including, for example, and where appropriate, the employee’s medical condition. The Contact Officer will ensure that the employee has access to all vacancies and that they fully understand the application procedure. The employee will also be offered the opportunity of a careers guidance and action planning interview and, where appropriate, will be put in touch with their local Disability Employment Advisor if contact has not already been made.

Where the employee is interested in a vacancy they should notify their Contact Officer as soon as possible. The Contact Officer will liaise with the appropriate Appointing Officer to consider the employee’s application. Where the Contact Officer identifies any suitable vacancy it must be brought to the attention of the employee. If the employee is not interested in the vacancy a written record of the reasons why must be kept, and the Human Resources Officer should be informed.

Suitable vacancies

The suitability of vacancies will be determined on a case-by-case basis by the Head of the employing department in consultation with the Head of Corporate Services, taking into consideration and having due regard for any additional costs that might be involved e.g. pay protection and excess travel costs.

A suitable vacancy is one where the employee meets the essential requirements of the post and the cost to the Authority, including that arising from pay protection and travel expenses, is reasonable. Where a vacancy would otherwise be deemed unsuitable on grounds of cost it may be declared suitable by the Head of Department provided that agreement can be reached with the employee on, for example, the level of pay protection and/or travel expenses to be granted. The appropriate Trade Union representative would be consulted on this matter. Although a higher graded post would not normally be deemed to be a suitable vacancy, the Head of Department shall have discretion to deem it suitable where this is in the best interests of the Authority.

An ‘at risk’ employee applying for an unsuitable vacancy will not be given any priority status for that post. Instead, they will be in competition with other internal and
external applicants and will not be eligible for any form of pay protection or excess travel expenses.

The essential requirements of the post must be relevant, necessary and accurately stated. It is not intended that jobs will be created or significantly changed in order to protect individuals ‘at risk’. However, subject to approval by the Head of Department, certain qualification criteria may be waived where managers are satisfied that an ‘at risk’ employee is capable of satisfactorily undertaking the full duties and responsibilities of a post, taking into account any reasonable re-training which may be required.

When assessing whether an employee meets the essential requirements of the post, the Human Resources Officer should support the recruiting manager to carry out the usual pre-employment checks, namely careful assessment of the application form, an interview, taking up references and, where appropriate, Criminal Record Bureau checks, aptitude tests, and any health clearance deemed necessary by management or by the Occupational Health Unit.

If an employee does not wish to apply for a suitable alternative vacancy, the Contact Officer, in consultation with the Head of Corporate Services, will consider the reasons for this. If the reasons are not considered justifiable and the employee does not apply for the vacancy then the benefits of the Redeployment Policy may be withdrawn.

Similarly, where employees apply for a vacancy they should make genuine and serious efforts to succeed with the application otherwise, again, the benefits of the Redeployment Policy may be withdrawn.

If the Contact Officer and the Head of Corporate Services consider the vacancy not to be wholly suitable in terms either of job content, salary/grade, location, hours and so on, the Redeployment Policy will still be applicable in future.

**Selection process**

Where the employee meets the essential criteria stated in the person specification, or, where the appointing officer is uncertain whether the employee so qualifies, a panel should arrange to interview the employee to explore any relevant areas (and carry out any of the other pre-employment checks) as soon as possible, and in advance of any applicants who do not have ‘at risk’ status.

The criteria for selection for an ‘at risk’ employee should be the ability or potential to undertake the duties and responsibilities attached to the post. ‘At risk’ employees should not be seen as in competition with other candidates who may meet more of the person specification criteria. If more than one ‘at risk’ employee meets the essential requirements of a suitable alternative role, an appropriate selection exercise will be undertaken to determine the best candidate for the role.

Where it is felt that the employee does not, at the time of assessment, satisfy the essential requirements for the post but might do so after a reasonable period of training or experience, they should be deemed to satisfy the requirements. In such circumstances, an extended trial period should be considered.
If the panel considers that the employee does not satisfy the appointment criteria for the post, the candidate will be informed in writing, outlining the reasons for non-appointment. A letter and contract, if appropriate, will be sent to the successful candidate.

Although the employee may be content to stay in a post to which they have been redeployed, they may be further redeployed until such time as the Head of Corporate Services is satisfied that they are being used effectively and efficiently. In order to retain eligibility for the benefits of the Redeployment Policy and of pay protection, employees must co-operate fully in such further redeployments.

Where there are no actual suitable vacancies available, employees may be considered for a post occupied by someone who wishes to be redeployed (i.e., a ‘shadow’ vacancy). However ‘shadow’ vacancies will normally only be used as a last resort if there are no actual suitable vacancies.

**In ‘Organisational’ Cases**

In cases where there is a general overstaffing situation, for example as a result of restructuring or closure of an establishment, managers should take action at an early stage before any individual has been identified for redundancy. Although there are no hard and fast rules as to when ‘at risk’ status will be confirmed, consideration of the issues should begin as soon as reasonably practicable and each case be considered on its merits. It would not be reasonable to consider a temporary employee to be ‘at risk’ at day one of their employment, nor would it be reasonable to wait until notice has been issued. In group situations it may be appropriate to grant ‘at risk’ status at a point where it is reasonable to conclude that there may be an overstaffing situation. Early designation of ‘at risk’ status will increase the opportunities available for redeployment. Discussions should take place with the relevant employees and the Trade Union to ascertain and confirm if employment may be ‘at risk’. This discussion will form an early part of the informal consultation process required in accordance with the general responsibility to consult on changes, but will not be a substitute for any statutory consultation required at a later stage.

Depending on the circumstances of each case, the relevant Head of Department may decide that all vacancies or specific types of vacancy will be ring fenced on a corporate basis. All Heads of Department will be notified if this is the case, and vacancies must not be advertised until further notice.

Where there is potentially a whole group of employees ‘at risk’, all of the group will be granted ‘at risk’ status until such time as the overstaffing situation is resolved.

In cases where redeployment is identified by either an individual or their manager at an early stage i.e. before the current employment, funding, contract etc. is due to end, it may be necessary to hold the ‘at risk’ employee against the alternative post and fill it on a temporary basis until such time that the redeployment can take effect. The reason for the appointment being temporary should be made clear to the
appointee at the outset so that the contract can be ended fairly and legally when the ‘at risk’ employee moves to the post.

Alternatively, the temporary appointment could be used as a learning and development opportunity and a permanent member of staff seconded temporarily to the post.

In organisational cases a specific change management document may be formulated and will act in conjunction with this document.

**In ‘Individual’ Cases**

‘Individual’ led cases will cover situations where seeking redeployment is due to reasons other than those connected with restructure, re-organisation, budget saving exercises, or non-renewal of temporary contracts. Examples include ill health and disability cases. In addition, the relevant Head of Department shall have the absolute discretion to declare any individual to be ‘at risk’ should it be reasonable and necessary to do so.

In respect of ill-health related cases, an employee may be considered ‘at risk’, and therefore eligible for redeployment (and pay protection where applicable), at a point where it is deemed likely that the next stage in managing the absence would be to consider dismissal. It may be appropriate to seek advice from the Occupational Health Unit as to whether a return to the existing job may be likely in the foreseeable future. If a return is not foreseeable then it is likely that at that point the employee will be deemed to be ‘at risk’. The situation should be discussed with the employee at a meeting as part of the normal management process when all aspects of the absence and ill-health are being discussed. Redeployment will be considered before notice is issued.

In the majority of disability or ill-health cases, it will be appropriate to seek advice from one or more of the following:

- the Occupational Health Unit through the Medical Referral Procedure,
- the Human Resources Officer on the Access to Work Scheme and any adaptations to the workstation, equipment or systems of work,
- the Human Resources Officer where the employee might be protected under the disability discrimination legislation (Equality Act), and/or,
- the Human Resources Officer where continued employment might be facilitated by making adaptations to working methods; making changes to job content; making alterations to the employee’s hours of work; or, part-time working.

The relevant Head of Department, in consultation with the Trade Union representative, must agree each case before ‘at risk’ status is confirmed.
Trial Periods

All redeployment under this procedure will be subject to a minimum trial period of four weeks during which time it is open to either the Authority or the employee to terminate the contract on the grounds that the employee or post is unsuitable. Where the employee considers that a post is unsuitable (before, during or after the trial period) they are strongly advised to take advice from their trade union and/or the Human Resources Officer before committing themselves to terminating the contract as unreasonably refusing alternative employment could lead to loss of all benefits/payments. The grounds of any such termination will be those which triggered redeployment. The new manager will ensure that during the trial period, the employee is provided with induction complying with best practice and suitable skill and knowledge training for the new job. The Human Resources Officer will monitor trial periods in consultation with the appropriate Head of Department.

By prior agreement, the trial period may be longer than four weeks; particularly where substantial induction or training is required. Where a trial period in excess of four weeks is being considered, the Human Resources Officer should be consulted. The trial period can commence before notice of dismissal from the original post has been issued, however, there is a statutory right to a trial period of four weeks after the date of dismissal.

Where a trial period proves unsuccessful, attempts to find other suitable redeployment will continue and further trial periods arranged as appropriate. This should continue until the expiry of the appropriate notice period.

Pay Protection

Employees who secure redeployment under this procedure will be eligible for the benefits of the Pay Protection, Excess Travel and Relocation Policies where applicable. Whilst employees are covered by the Pay Protection Policy, the conditions of service which applied to the previous employment shall apply as far as possible. Once pay protection ends, employees will become subject to the conditions of service applicable to the new employment.

Managers should encourage employees to contact the Pension Section for advice in relation to the possible pension implications of redeployment under this policy and obtaining other employment.

General Responsibilities

In some cases employees may prefer to be dismissed or made redundant, however, where this is at a cost to the Authority, employees should be made aware that suitable redeployment is the first option. Where potentially redundant employees fail to co-operate with this policy they may place their entitlement to a redundancy payment in jeopardy.

Employees themselves have a responsibility to secure redeployment should their employment be ‘at risk’. In this respect they have a duty to highlight their interest in any suitable vacancies to the Contact Officer. They also have a responsibility to
prepare properly for all interviews to which they are invited and must make genuine and serious efforts to secure redeployment. Where the Head of Department considers that an employee has not made genuine efforts in this regard, a decision may be taken to withdraw priority redeployment status and any pay protection which might have been granted under this policy. In addition, where a potentially redundant employee fails to co-operate with this policy they may become ineligible for a redundancy payment.

**Keeping Records**

Contact Officers and other people having a role in the redeployment process (especially in the assessment of an employee’s suitability for employment) must ensure that detailed notes are kept in the employee’s file. These notes must cover discussions with the employee concerning actual or proposed redeployment and any decisions taken by management or the employee. This ensures that employees are appropriately supported through the process. It is also important if the employee has a negative attitude to redeployment, does not wish to be considered for suitable redeployment, or, if no mutually acceptable redeployment can be found. Failure to keep adequate notes could prejudice the Authority’s position at an internal appeal or in Employment Tribunal proceedings.

**Redundancy**

**General principles**

The Authority will ensure that there is a co-ordinated approach to redeployment and redundancy and related procedures. Employees at risk of compulsory redundancy will be notified of vacancies arising and every reasonable attempt will be made to secure alternative employment.

Employees selected for compulsory redundancy will be invited to discuss the matter with the appropriate manager before the selection is confirmed in writing. An employee also has the right to appeal against selection for compulsory redundancy to the Staffing Appeals Panel of the Authority. Further information on appeals can be found in the Hearings and Appeals Policy.

**Selection Criteria**

Where work of a particular kind is no longer required by the Authority, where funding is no longer available or as a result of a re-organisation of a specific area of work, the required reductions in staffing may be achieved by a combination of the strategies outlined on page 2 (Avoiding or Minimising Redundancy).

Where, however, some form of more active selection is required, the Authority is committed to the method of selection for redundancy being fair, non-discriminatory and objectively justifiable.

On each occasion an analysis of future staffing needs will be carried out, and staffing reductions will be planned so as not to cause future imbalances. Maintaining a balanced and effective workforce is a legitimate consideration for management.
Full details of the proposed selection criteria will be agreed before consultations commence.

**Assistance to Employees**

Although every effort will be made to secure suitable alternative employment for all employees in these circumstances, it may not always be possible to do so. For that reason this document contains information to help in the search for further employment, if appropriate.

The Authority will give reasonable help to employees made compulsorily redundant, and this may include:

- reasonable paid time off to look for other work;
- reasonable retraining facilities to retrain for alternative work, if appropriate;
- positive one to one support in dealing with the problems of redundancy;
- information on current vacancies within the Authority;
- redeployment and pay protection;
- advice on redundancy and pension payments;
- guaranteed interview scheme for six months after termination of employment*;
- skills training (e.g. in interview/job hunting skills); and
- careers guidance and advice on setting up in business.

* This applies to externally advertised posts. Ex-employees must meet all essential criteria as a minimum.

For those who volunteer for redundancy, reasonable help will be available with some of the above areas.

**Training**

Training/Information is available in the following areas:

- job search strategies, including how to get organised;
- how best to apply, including practical work on letter writing, the completion of application forms and
- making the best of an interview, including preparation and practical interview skills.

The Human Resources Officer will be able to provide you with further information.

**Jobcentre Plus Services**

You will find details of current job vacancies at your local Jobcentre Plus. Jobcentre Plus will give you advice and information on looking for work and your redundancy notice period may count towards the qualifying period of unemployment for you to be eligible for a number of job centre services and courses. You should ask about this when you attend. If you have or think you may have a disability, you might also consider asking to speak to the Disability Employment Adviser (DEA) who is based at Jobcentre Plus, since you may be able to qualify for special help and services to assist you in your search for a job.
**Becoming Self-Employed**
If you are considering setting up in business, free practical advice and guidance is available from Northumberland Business Service Ltd (NBSL) [www.nbsl.org.uk](http://www.nbsl.org.uk) telephone: 01670 813322. Further help may be obtained from your bank, and your local Jobcentre Plus can also tell you about schemes, courses and grants designed to help people setting up in business.

**Financial Advice**
If you are receiving a redundancy payment, you are strongly advised to seek independent financial advice from at least two sources before committing any of the money. Often what at first sight seems to be the most sensible option may not be, and can also impact on any benefits you may have been entitled to receive. Sources of financial advice may include your bank or building society, an insurance company, or an independent financial adviser. A list of independent financial advisers in your area may be obtained by contacting [www.unbiased.co.uk](http://www.unbiased.co.uk).

**Help With Financial Difficulties**
It is helpful to forecast your household's monthly income and expenditure. If you are worried that you may get into debt, you should seek financial advice immediately. The Citizens Advice Bureaux are the best source of information and advice, and they will even negotiate with your creditors on your behalf if necessary. A list of local bureaux and their opening hours can be found at [www.citizensadvice.org.uk](http://www.citizensadvice.org.uk).

**How to Claim Benefits**

If you are not entitled to Job Seeker's Allowance (JSA), you may be able to claim income support. If you are not eligible for JSA or income support, you should still ask whether you should sign on to ensure your right to national insurance credits, which may affect your state retirement pension.

If your household is on a low income, you may be entitled to housing benefit or to Council Tax benefit. To find out about this, you should enquire at your local council offices or visit [www.direct.gov.uk](http://www.direct.gov.uk)

Find out what other state benefits you, your partner, or any other member of your household may be entitled to as a result of your changed circumstances. General information and advice on benefits and national insurance may be obtained by contacting your local DWP office at [www.dwp.gov.uk](http://www.dwp.gov.uk). Information on disability benefits can be obtained on the Disability Benefits Enquiry Line on freephone 0800 882200.

**Support Available**
People differ greatly in their reactions to redundancy and early retirement. Those who have been made redundant experience anything from relief or excitement to panic, hurt, uncertainty, guilt, resentment, or a sense of loss. Many people find that they need to work through these feelings before they can get on with the rest of their life.
Your family can provide an excellent source of support and encouragement. However some people find it difficult to talk with their family about how they feel as they feel somehow responsible for having "let the family down", and don't want to give them the added burden of listening to their woes. Furthermore, it is not uncommon for spouses or partners to experience even more uncertainty and worry than the person who is being made redundant, since their lives are fundamentally affected, but they are not in the driving seat. In these circumstances, it really can help to talk to someone who is impartial and trained to listen. Asking for support and help may not be an idea you take kindly to; you may tend to feel you should be able to cope on your own. But the sooner you get help, the sooner you will be able to move forward. If you would like to talk things through, or ask for any help, advice or support, please contact Occupational Health who employ trained counsellors and can also signpost you to other sources of support and advice. Any conversation you have will be entirely confidential and no information whatsoever will be passed on to anyone else.

**Useful Contacts**

**Setting up in business:**
www.nbsl.org.uk
tel. 01670 813322

Redundancy Pay and Pensions:
Finance Manager/HR Officer
Pensions Section, Northumberland County Council, County Hall, Morpeth
Tel: 01670 533377 pensions@northumberland.gov.uk

Independent financial advisers:  www.unbiased.co.uk

Financial advice/debt problems/ help with benefits claims:  www.citizensadvice.org.uk

Information on DWP benefits/disability benefits:

Department of Work and Pensions  www.dwp.gov.uk
Enquiry line: Tel. 0800 882200

Occupational Health
Occupational.health@newcastle.gov.uk
0191 2115215 or 0191 2115216

**Redundancy Pay**

The Authority believes that reasonable termination benefits should be made available to employees who are made redundant. Any employee who is made redundant and has completed 2 or more years of continuous local government service qualifies for a redundancy payment.

Redundancy payments are calculated by reference to your age, continuous local government service and your gross contractual weekly rate of pay. The calculation uses the “Statutory Redundancy Pay calculation table” (Appendix C) published by the Department for Business, Innovation and Skills and available from the DirectGov
website. However, where the table refers to a maximum week’s pay of £380, this is substituted with your actual week’s pay.

In periods of considerable change the Authority will consider setting up a temporary package for voluntary redundancy, with terms enhanced in comparison with those made available for staff being made compulsorily redundant. Details of any such scheme and information as to how to apply will be published at the time. If an employee takes voluntary redundancy, their entitlement to Jobseekers’ Allowance will not be affected. The Social Security Act, 1985 states that a person who has volunteered for redundancy is not to be treated as having become voluntarily unemployed. Therefore employees would have statutory protection against the ‘voluntary leaving’ disqualification from entitlement to Jobseekers Allowance.

Overtime is not generally taken into account when calculating redundancy payments. Overtime is only taken into account when the employer is contractually obliged to provide overtime and the employee is contractually obliged to work it.

Where weekly pay fluctuates because of changing hours or shift payment, hours will be averaged over the 12 weeks prior to the calculation date. For staff who work on the basis of a seasonal rota, hours will be worked out on an average of 52 weeks. The weekly rate of pay is calculated as at the date employees are given statutory notice.

Time spent on paid and unpaid maternity leave does count towards the period of continuous service. However, if there was an actual break in service (where the contract of employment ceased) then continuous service will be counted from the date of return to work. Normally, if employees did not return to work after 52 weeks’ maternity leave, it is likely that there was a break in service.

If an employee receives an offer of alternative employment from the National Park Authority or another local authority or any related employer listed in the Redundancy Payments Modification Order, before their current contract ends, and the new job is to start within four weeks of the end of that contract or if they receive an offer after the end of their current contract and the new job is to start within one week of the end of that contract, they will not be entitled to a redundancy payment.

If an employee chooses to waive all or part of their notice, they will only be paid up until their last day at work. No payment is made for any waived notice. Should the purpose of waiving notice be to create a four week break between local government employers, no redundancy payment will be made. In addition, if an employee waives their right to working the full notice period, Jobcentre Plus would be entitled to suspend benefit payments during the period of notice, as it would have been possible to earn a full wage during this period.

**Pensions – frequently asked questions**

*If I am made redundant will I receive the immediate payment of my accrued Local Government Pension benefits?*

Answer: Pension benefits are payable immediately only if you are aged 55 or over and have completed 3 months of scheme membership.
If I qualify for the immediate payment of my Local Government Pension benefits on being made redundant, how will they be calculated?

Answer: Pension benefits are calculated by reference to two factors. Firstly, your years and days of scheme membership, and secondly, the earnings upon which you paid your pension contributions, normally, during the 12 months immediately before retirement.

For scheme membership up to 31st March 2008:
- You will receive an annual pension of 1/80th of your last 12 months earnings for each year of scheme membership.
- You will receive a tax free lump sum of three times your pension

For scheme membership from 1st April 2008:
- You will receive an annual pension of 1/60th of your last 12 months earnings for each year of scheme membership.
- There is no automatic lump sum entitlement. However, you may opt to give up part of your pension for a tax free lump sum

Will I receive added years of service if I am made redundant and qualify for the immediate payment of my Local Government Pension benefits?

Answer: It is not the current policy of this Authority to award added years of service to pensionable employees, but this might be a consideration in developing a termination package.

Will my pension be index linked?

Answer: Yes, pensions increases are linked to increases in the Consumer Price Index.

Are the lump sums payable on redundancy taxable?

Answer: Generally, no. The lump sum payable in respect of your actual pensionable service is never taxable. The redundancy payment is only taxable when it exceeds £30,000.

If I am not aged 55 when I am made redundant what happens to my pension rights?

Answer: If you have 3 months or more scheme membership you have an entitlement to "index linked" deferred benefits which become payable at retirement age. Again you may transfer the cash value of your pension rights to another approved pension arrangement of your choice.

How will I be informed of my pension choices?

Answer: If you do not qualify for immediate payment of benefits when you leave you will be provided with a copy of the booklet 'A Leavers Guide to the Local Government Pension Scheme' which details the options available to you. You are advised to seek independent financial advice before making a decision.
If I am redeployed, will my pension contributions be affected?

Answer: Pension contributions are based on the pay you receive (except for non-contractual overtime or from any bonus earned during such overtime). Therefore if you are redeployed and are in receipt of pay protection, your pension contributions will be based on the protected pay rather than on the actual pay for the post. There are, however, certain steps you can take to protect the value of your pension where your pay is reduced because of re-deployment to a lower graded post. Where retirement takes place within ten years of the actual reduction in salary, a previous pay period can be used if this results in higher retirement benefits, or you can defer your pension accrued to the date of the change in contract and start to accrue a new pension in respect of your new post. A leaflet has been prepared by the Pension Section, which explains these options.

If I retire and find another job, will this affect my pension?

Answer: If you are in receipt of a pension from the Authority, and you become employed by any local authority or public body, your pension may be reduced or suspended if your combined income from pension and employment would otherwise exceed your salary at retirement, as increased to take account of inflation. If you enter such employment you must inform your new employer that you are receiving a pension and advise the Authority’s Pension Section of the name and address of the employer.

How does entitlement to my pension on being made redundant affect my entitlement to Jobseekers’ Allowance?

Answer: Your jobseekers allowance is reduced by £1 for every £1 by which your occupational pension exceeds £50 per week.

You will, however, appreciate that the rules governing State benefits do change from time to time and if you are considering applying for retirement on the grounds of redundancy you are advised to seek advice from the appropriate Government Departments with regard to how this will affect your entitlement to jobseekers allowance and State retirement pension.

Re-employment

Where employees have been made redundant and are still below the normal retirement age, there is no general restriction on any future re-employment where such re-employment occurs at a later date and as a discreet event unconnected with the redundancy, although in certain circumstances the return of pension and redundancy payments is a legal requirement.
Redeployment Personal Log

This log should be completed by the Contact Officer and will be used to collate all necessary information in order to ensure that, as far as possible, redeployment is provided for an ‘at risk’ employee.

All relevant information should be recorded as this form may be used as evidence to demonstrate that every effort was made to minimise dismissals of any nature.

| Employee Name | |
| Tele/contact number | |
| Department | |
| Contact Officer | |
| Current post, grade and salary. Details of allowances etc should also be noted | |
| Date declared ‘at risk’ | |
| Reason post / person is ‘at risk’ | |
| Any conditions attached to ‘at risk’ status. E.g. whole group at risk until 1 or more of the group secure redeployment | |
| Likely date notice will be issued from current post | |
| Likely employment end date | |
| Other relevant information | |
| Date redeployment secured, or date no longer ‘at risk’ | |
Appendix B

Contact Officer Action Checklist

<table>
<thead>
<tr>
<th>Action taken</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Meeting with employee to explain procedure</td>
<td></td>
</tr>
<tr>
<td>Standard application form completed</td>
<td></td>
</tr>
<tr>
<td>Arrangements made for weekly vacancy bulletins to be provided to employee</td>
<td></td>
</tr>
<tr>
<td>Contact with Disability Employment Advisor made (if applicable)</td>
<td></td>
</tr>
<tr>
<td>Contact made with employee on a regular basis to review the situation. Details of contact made on each occasion should be noted:</td>
<td></td>
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<tr>
<td>Head of Corporate Services consulted and updated regularly:</td>
<td></td>
</tr>
<tr>
<td>Details of posts sought, actions taken and outcomes. As much detail should be provided on each occasion. As a minimum the following should be noted – post title; grade; is it a suitable post; does the person meet the essential requirements; details of interview or why interview was not granted; if unsuccessful at interview detail the reasons why (a file note from the Appointing Officer should be attached to this log); was the HR Officer; if successful, is there a trial period agreed.</td>
<td></td>
</tr>
</tbody>
</table>
### Ready Reckoner for Calculating the Number of Weeks’ Pay Due

(Table provided by the Department for Business Innovation and Skills)

**Statutory Redundancy Pay Table**

| Age | 2   | 3   | 4   | 5   | 6   | 7   | 8   | 9   | 10  | 11  | 12  | 13  | 14  | 15  | 16  | 17  | 18  | 19  | 20  |
|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|
| 17  |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |
| 18  |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |
| 19  | 2   |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |
| 20  |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |
| 21  |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |
| 22  |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |
| 23  | 1½  |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |
| 24  |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |
| 25  |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |
| 26  |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |
| 27  |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |
| 28  |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |
| 29  |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |
| 30  |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |
| 31  |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |
| 32  |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |
| 33  |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |
| 34  |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |
| 35  |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |
| 36  |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |
| 37  |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |
| 38  |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |
| 39  |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |
| 40  |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |
| 41  |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |
| 42  |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |
| 43  |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |
| 44  |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |
| 45  |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |
| 46  |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |
| 47  |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |
| 48  |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |
| 49  |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |
| 50  |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |
| 51  |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |
| 52  |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |
| 53  |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |
| 54  |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |
| 55  |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |
| 56  |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |
| 57  |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |
| 58  |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |
| 59  |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |
| 60  |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |
| 61+ |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |