

Wurkplace LIVE: HR Advice for Employees & Employers (Coronavirus)

Redundancies

Host: Mark Whitfield

Panellist: Karen Owen

April 2020



AREAS COVERED IN THIS SESSION:

1. Making a redundancy plan
2. Avoid compulsory redundancies
3. Consult with your employees
4. What to discuss at the consultation
5. Selection for Redundancy
6. Agree criteria with employees
7. Select employees in a fair way
8. Set up an appeals process
9. Give employees notice of redundancy
10. Work out redundancy pay
11. Support



1. Making a redundancy plan:

- avoid compulsory redundancies
- consult with staff
- select staff for redundancy
- giving staff notice
- work out redundancy payments
- support staff and plan for the future



2. Avoid compulsory redundancies:

- Retrain employees
- Short term working/lay off
- Voluntary redundancy
- Early retirement
- Flexible working (reducing hours/job sharing/homeworking)
- Unpaid leave
- Letting go of temporary workers or contract workers
- Limiting or stopping overtime



3. Consult with your employees:

- During the consultation period you must let employees know in writing:-
 - i. why you need to make redundancies
 - ii. the number of employees and which jobs are at risk
 - iii. how you will select employees for redundancy
 - iv. how you plan to carry out the redundancies, including timeframes
 - v. how you will calculate redundancy pay
 - vi. details of any agency workers you're using
 - vii. You should also have a trained person to lead the consultation and clear way of presenting your redundancy plan



How long the consultation lasts:

- There are no rules for how long the consultation should last.
- It can last longer than the minimum periods listed above if it's a large or complex redundancy situation.
- You do not need to reach agreement for the consultation to come to an end. You simply need to show that the consultation was genuine and that you aimed to reach agreement.
- You must be able to show that you've listened to your employees and that you responded to questions and suggestions.



4. What to discuss at the consultation:

- Consultations allow you to explain why you're planning on making redundancies. In return it allows employees to discuss:
- How employees are selected for redundancy
- Ways to avoid or reduce redundancies
- How to reduce the impact of redundancies
- How the organisation can restructure or plan for the future



5. Selection for Redundancy:

You should base the criteria on:

- Standard of work
- Skills, qualifications or experience
- Attendance record (do not include absence relating to disability or maternity)
- Disciplinary record

You must be careful not to discriminate against anyone when selecting employees for redundancy



6. Agree criteria with employees:

- You should consult employees to identify and agree selection criteria.

EXAMPLE:

‘You could sit with employees to work out the skills and experience needed for your business in the future. The more open and collaborative your selection process is, the more your employees will trust that it's fair’.



7. Select employees in a fair way:

- It's a good idea to score employees against all the agreed selection criteria.
- This will help you avoid relying on one particular criteria and can lower the risk of discriminating against employees.
- It will also help you be objective when selecting employees, easily share with staff how the selection process works and explain your decisions at any employment tribunals.



8. Set up an appeals process:

- You should set up an appeals process for employees who feel they have been unfairly selected.
- This can reduce the chances of someone making a claim against you to an employment tribunal.
- You should explain in your redundancy plans how someone can appeal.
- You might meet with employees face-to-face to listen to their concerns or ask them to write a letter or email explaining why they do not agree with your decision.



9. Give employees notice of redundancy:

- You can only make an employee redundant once you've finished consulting with everyone.
- It's best to tell an employee face-to-face that you're making them redundant.
- You should also let them know in writing.



10. Work out redundancy pay:

You must pay redundancy to employees who have an employment contract and have worked for 2 full years.



11. Support:

You should provide support to staff:

- When they are put at risk of redundancy
- Who are breaking the news to staff at risk
- Other staff not placed at risk
- Staff that are staying on
- Employee representatives





0330 400 5490

www.wurkplace.co.uk

wurkplace 

QUESTIONS

