1. **Introduction**

1.1 Central Bedfordshire Canine Trust aims, as far as possible to maintain security of employment for its established permanent staff whilst making the best use of its resources and maintaining and enhancing efficiency. However, there may be changes in funding conditions, service or organisational requirements and technological developments which may affect staffing needs. In these circumstances Central Bedfordshire Canine Trust will seek to minimise the effect of redundancies through the provisions made in this policy.

1.2 **Definition**

Redundancy is defined in employment legislation as follows:

> 'An employee who is dismissed will have been dismissed for redundancy if the dismissal is attributable wholly or mainly to the fact that:

- the employer has ceased, or intends to cease to carry on the business for the purpose for which the employee was employed, or
- to carry on the business in the place where the employee was so employed, or
- the requirements of the business for employees to carry out work of a particular kind, or to carry out of a particular kind in the place where the employee was employed, has ceased diminished, or are expected to cease or diminish' - Employment Rights Act 1996-

1.3 Central Bedfordshire Canine Trust will constantly attempt to plan so that shortages of demand are forecast ahead. This is so that natural turnover of employees and a reduction of permanent recruitment can be used to reduce the number of staff posts.

1.4 Central Bedfordshire Canine Trust recognises, however, that it may not be possible always to forecast a shortfall in demand in time to make the above adjustments, and that on occasion it may be necessary to make redundancies.

1.5 It is recognised that there may be changes in competitive conditions, organisational requirements and technological developments which may affect staffing needs. The following are the most likely reasons (not mutually exclusive and not exhaustive) listed in probable descending order of likelihood:
a) Total loss of funding for a particular project or post;
b) A decision that a post or project is not viable on a reduced level of funding;
c) A decision that a project is not sufficiently fulfilling its aims nor remains a priority for the organisation (this may include: unsustainable losses; another organisation providing a similar service more effectively or fully; insurmountable problems in project design);
d) A restructuring of a project or group of projects to meet changed stakeholder needs;
e) A transfer of a service to another organisation (TUPE sometimes applies);
f) Merger of Central Bedfordshire Canine Trust with another organisation;
g) Closure of Central Bedfordshire Canine Trust.

1.6 Central Bedfordshire Canine Trust and the Unison Trade Union aim to work in collaboration to maintain and enhance the efficiency and profitability of the organisation in order to safeguard the current and future employment of Central Bedfordshire Canine Trust's employees.

1.7 Central Bedfordshire Canine Trust in consultation with the Unison Trade Union, will seek to minimise the effect of redundancies through the provision of sufficient time and effort to finding alternative employment for surplus staff.

1.8 Where compulsory redundancy is inevitable Central Bedfordshire Canine Trust will handle the redundancy in the most fair, consistent and sympathetic manner possible and minimise as far as possible any hardship that may be suffered by the employees concerned.

2. **Scope**
This policy applies to all employees of Central Bedfordshire Canine Trust.

3. **Key Principles**

i) Preventative measures will be taken wherever possible to avoid redundancies.

ii) Central Bedfordshire Canine Trust will consult with employees/groups of employees/Trade Union representatives at the earliest practicable opportunity when there appears to be a situation which could lead to redundancies.

iii) At least one redundancy consultation meeting will take place between the employee and Manager. The employee has the right to be accompanied by a fellow employee or trade union representative (from a trade union of which they are a member).
iv) Selection criteria for redundancy will be fair and objective.

v) Suitable alternative employment will be considered in every situation.

vi) The employee has the right of appeal against their selection for redundancy.

vii) A redundancy payment will be made where the employee has over two years service in line with current legislation.

viii) An employee has a legal right to reasonable time off work during their notice period to look for alternative employment or to undertake training.

4. Procedures

Preventative Measures
Where the need for redundancies has been identified, and in order to avoid these, one or more of the following measures may be taken:

- consideration may be given to freezing advertising and recruitment;
- consideration may be given to suspending temporary employment and/or the engagement of consultants;
- consideration may be given to the likely effects of natural wastage;
- consideration may be given to freezing overtime work and payments.

Redundancy Consultation

4.2.1 Central Bedfordshire Canine Trust is committed to keeping the local trade union/employee representatives informed as fully as possible about staffing requirements and any need for redundancies. The Organisation will work closely with unions to identify measures to avoid or minimise redundancies.

4.2.2 An employee at risk of redundancy will be informed as soon as possible, in a formal meeting with their Manager and the Human Resources Manager may be present. This will be followed up by a further meeting once the selection criteria for redundancy have been applied and those employees selected have been identified.

4.2.3 Employees selected will be entitled to at least 1 month’s notice before the redundancy takes affect. This notice period will increase up to a maximum of 3 months in line with the employee’s contract of employment. Statutory notice
will be used if it is greater than the employee’s contractual notice period. Employees affected and their trade union(s) will be encouraged to contribute to the consultation process with their own ideas for preventative measures, possible alternative courses of action or suitable alternative employment.

4.2.4 Employees have the right to be accompanied by a fellow employee or trade union representative (from a trade union of which they are a member) where notice of redundancy is given. Notice of redundancy will be confirmed in writing.

4.2.5 Central Bedfordshire Canine Trust may also choose to consult directly with employee(s), both those affected and those not. If Central Bedfordshire Canine Trust plans to make 20 or more employees redundant, it will follow the formal consultation process in line with relevant legislation in force at that time (currently 30 days).

4.2.6 There is no statutory minimum period where 19 employees or less may be made redundant. However, Central Bedfordshire Canine Trust will consult as early as possible, and will endeavour to undertake this at a minimum of 30 days before notification of the dismissal is given, even where only one employee may be selected for redundancy. However, in certain circumstances this may not be practicable and speed may be of the essence. Also where there are only a few employees being made redundant and these employees are not members of the trade union, it may be appropriate for consultation to be limited to those employees or some other narrow group.

4.2.7 Proposals on potential redundant posts will take account of the following factors:

- current and anticipated workload
- comparative staffing levels
- financial requirements

4.2.8 This will be substantiated in writing by the Chief Executive, after discussion with the Human Resources Manager, and will form the basis of the proposals passed to the recognised trade unions.

4.2.9 Central Bedfordshire Canine Trust will disclose in writing to recognised trade unions the following information concerning proposals for redundancies so that they can play a constructive part in the consultation process:

- the reasons for the proposals;
- the likely numbers and descriptions of redundancies, and in which job categories;
• the total number of employees of any such description employed at the establishment in question;
• the proposed selection criteria for redundancy;
• the proposed redundancy procedure and timescale;
• confirmation that statutory redundancy pay applies.

4.3.0 Additionally, consultation will include constructive discussion of:

• ways of avoiding or reducing redundancies;
• ways of mitigating the consequences of redundancy.

4.3.1 The information will be handed to a representative of the local union who is authorised to carry out collective bargaining. Although there is no absolute legal requirement to obtain agreement on these matters before implementing redundancies, Central Bedfordshire Canine Trust is both obliged to and is keen to give serious consideration to any points made by the union representatives and give reasons if any point is rejected. Consultation will be undertaken with a positive view to reaching agreement if at all possible.

4.3.2 Consultation will also, and at the same time as the union consultation, be carried out with the individuals concerned and the discussions will cover:

• an explanation of why and how the individual has been selected;
• possible ways of avoiding the redundancy e.g. by redeployment opportunities;
• possible alternative work.

Selection Criteria

4.4.1 Where a job ceases to exist, the post holder will normally be the redundant employee. However where a number of jobs are redundant or where fewer staff are needed in particular where several people carry out the same or similar jobs then the redundant employees will be identified by way of a selection process and affected employees will be placed in a ‘selection for redundancy pool’.

4.4.2 When selecting staff for redundancy, the following objective criteria will be taken into account. This list is not exhaustive and is not necessarily in order of priority:

• attendance and disciplinary records (discounting where reasonable any absences associated with maternity/pregnancy or disability);
• standard of work performance (taking into account appraisal gradings);
• relevant experience, qualifications and skills/competences.
4.4.3 The criteria and process to be used in selecting candidates for redundancy will be determined in consultation with any recognised union.

4.4.4 No employee will be selected for redundancy for the following reasons:
- membership/non-membership of a union;
- any health and safety-related reason;
- asserting a statutory right;
- any maternity-related reasons;
- carrying out the function of or standing as a trade union/employee representative;
- on grounds of sex, race, religion or belief, sexual orientation, age or disability.

Voluntary Redundancy

4.5.1 Central Bedfordshire Canine Trust will take account of the suggestions made by the staff and may invite volunteers for redundancy before making its selection. The terms of the invitation to request voluntary redundancy will always stipulate that Central Bedfordshire Canine Trust may reject some or all of those who volunteer if their skills, knowledge and experience are still required.

Suitable Alternative Employment

4.6.1 Employees under notice of redundancy will be informed of all actual and expected vacancies during the period of their notice.

4.6.2 Anyone at risk of redundancy who accepts an alternative position is eligible to a trial period in the new post for an initial minimum period of four weeks. The length of the trial period will be agreed between the member of staff and the relevant manager at the outset, but may be increased by mutual consent either at the beginning or during the trial period up to a total of no more than 26 weeks.

Appeal

4.7.1 Employees who have been selected for redundancy are entitled to appeal against the decision. Any appeal must be lodged within 5 working days following the redundancy meeting and should be made in writing, setting out the grounds for the appeal.
4.7.2 An appeal hearing will be arranged at a mutually convenient time and employees may be accompanied by a fellow employee or trade union representative (from a trade union of which they are a member). The Chair of the Trustees/Chief Executive Officer on hearing the appeal may uphold the decision or overturn it. This decision will be final and will be confirmed within five working days of the appeal hearing wherever possible or agreed differently during the hearing.

Redundancy Payments

4.8.1 Employees with two or more year’s continuous employment with Central Bedfordshire Canine Trust, at the date their notice of redundancy becomes effective, shall receive statutory redundancy payments, calculated as follows:

i) Half a week’s pay for each complete year of service under the age of 22;
ii) one week’s pay for each complete year of service between the age of 22 and 41;
iii) one and a half week’s pay for each complete year of service over the age of 41;

4.8.2 For calculating (i)-(iii) above, a week’s pay is based on the employee’s normal rate of pay up to the maximum statutory weekly rate of pay in force at the time, up to a maximum of 20 weeks (based on the most recent 20 years).

4.8.3 Employees with less than two years continuous employment with Central Bedfordshire Canine Trust, at the date their notice of redundancy becomes effective, are not eligible for any redundancy payment.

4.8.4 Payment in respect of outstanding accrued holiday entitlement shall be made if it is not reasonably practicable for such holiday entitlement to be taken during the notice period. Holiday time taken up to the annual allowance but not earned will be deducted from final salary pay.

4.8.5 Central Bedfordshire Canine Trust will provide the employee with a written statement showing how the redundancy payment has been calculated.

Time off to look for work

4.9.1 During their notice period employees are entitled to reasonable time off without loss of pay to attend interviews and/or training. It is at the discretion of the management to offer further days if appropriate.
Leaving during the notice period

4.10.1 During the period of notice, and by mutual agreement, the employee may be allowed to leave Central Bedfordshire Canine Trust without loss of entitlement to a redundancy payment and payment in lieu of notice may be granted. Agreement will be considered in each case and will depend on whether the request is made on reasonable grounds.

5. Responsibilities

Trustees

- Trustees will review staffing resources within their departments on a regular basis and discuss any possible redundancy situations with the Chief Executive.

- Trustees will be responsible for informing and discussing with their employees any possible risks of redundancy, applying the selection criteria fairly and objectively and meeting with any employees selected for redundancy in conjunction with the Chief Executive.

- Trustees will be available for discussion and any questions or queries that their employees have concerning a redundancy.

- It is the responsibility of Trustees to give permission for time off for training or job search during an employee’s notice period.

Employees

- Employees should participate and contribute during the consultation process with ideas for preventative measures, alternative courses of action or suitable alternative employment.

- Employees should bring any concerns, question or queries to a Trustee or the Chief Executive during a redundancy situation.

- Employees should continue to undertake their normal duties and responsibilities as far as practicable.