

## REDUNDANCY POLICY

(This Policy was reviewed by the full Council at its AGM held on 15 May 2024, minute 20/24-25)

### **Purpose and Scope**

Swanscombe and Greenhithe Town Council (the “Council”) recognises the importance of maintaining a stable and valued workforce. However, it is recognised that reorganisations and redundancies may become necessary at times in line with the business’ needs. The purpose of this policy is to outline how we will approach these situations to ensure affected employees are treated in a fair, consistent and non-discriminatory manner.

This policy applies to all employees. It does not form part of any employee’s terms and conditions of employment and the Council may depart from it depending on the circumstances of the case.

### **Measures to Avoid or Minimise Redundancy**

The Council will seek to avoid or minimise redundancies wherever practicable and appropriate. Measures could include:

- Restricting the use of overtime
- Redeployment as an alternative to redundancy
- Restricting recruitment in areas where affected employees could be redeployed
- Investigating the possibility of alternative working arrangements such as job sharing or flexible working
- Reviewing the use of agency workers and self-employed contractors
- Inviting applications for voluntary redundancy or early retirement

This is not an exhaustive list and, further, not all measures will be appropriate in each case. Measures will need to be assessed in line with business needs.

### **Consultation**

The Council will keep affected employees informed as fully as possible about proposals for redundancies and will consult with those affected by any proposal and, where appropriate, appropriate representatives (such as a recognised trade union or employee representatives).

The Council will consider any alternative proposals with a view to avoiding redundancy and reducing the number of employees to be made redundant.

The redundancy process will be objective, transparent and fair. The Council will not discriminate against employees on the grounds of any protected characteristic (gender, sexual orientation, marital or civil partner status, gender reassignment, race, colour, nationality, ethnic or national origin, religion or belief, disability or age). Further, those working under part-time or fixed-term contracts will be treated in the same way as full-time employees.

### **Suitable Alternative Employment and Trial Period**

The Council will assist where possible, employees in finding alternative employment.

As part of the individual consultation process, any suitable vacancies will be discussed with the employee.

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Where an alternative job has been identified, offered and accepted, the employee will be subject to a minimum four-week trial period. The purpose of this period is to allow the employee and the Council to assess whether the new role is suited to the individual and whether they are capable of doing it.

If after this trial period has been completed and both parties agree that the new position is unsuitable, the employee will be entitled to claim redundancy pay. Such pay will be calculated up to the date the original job was declared redundant.

**Time Off to Find Other Work**

Employees who are under notice of redundancy and who qualify for a statutory redundancy payment also have a statutory entitlement to a reasonable amount of time off to look for another job or to arrange training. Such time off must be arranged in advance with the Council.

**Redundancy Pay**

Employees who are dismissed for redundancy and who have a minimum of two years' continuous service with the Council will normally be entitled to be paid statutory redundancy pay, which is calculated according to the individual employee's age, length of service and gross weekly pay subject to a statutory maximum. The Council currently operates an enhanced redundancy payment that is based on the statutory redundancy payment calculation. Such enhanced redundancy payments can be made to employees who:

- are entitled to receive a statutory redundancy payment;
- are excluded from receiving a statutory redundancy payment by virtue of having less than two years' continuous employment with the Council; or
- have voluntarily agreed to the termination of their employment where, had they been dismissed, the dismissal would have been by reason of redundancy.

Redundancy payments paid by the Council may therefore comprise:

- the required element: which is the statutory redundancy payment; and
- the enhanced element: which provides for an additional redundancy payment.

The enhanced redundancy payment scheme operates as follows:

- The Council will disregard the statutory upper pay limit when calculating a week's pay for the purposes of the statutory redundancy payment. This means that the employee's actual week's gross pay will be used for this purpose.
- The Council will make a lump sum payment equivalent to the amount payable under the contract of employment in respect of the employee's period of notice i.e. for an employee with a one month notice period, a lump sum equivalent to one month's gross salary; for an employee with a three month notice period, a lump sum equivalent to three months' gross salary, etc. (Note: this is not a pay in lieu of notice payment but an additional lump sum equivalent to any pay in lieu of notice payment).