

AUGUST 2015

# CHECKLIST

## Redundancy: Individual consultation



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### **ESTABLISH WHETHER THERE IS A GENUINE REDUNDANCY SITUATION**

- Is there a closure of the business in which the employee was employed?
- Is there a closure of the place of business where the employee was employed to work?
- Is there a reduced requirement for employees to carry out work of a particular kind?

### **PLAN IN ADVANCE**

- Ensure managers involved in the process are aware of the employer's legal obligations.
- Ensure that the relevant line managers are available to hold the meetings and provide necessary support to employees at risk of redundancy.

### **ESTABLISH THE POOL(S) (IF RELEVANT)**

- Consider the appropriate pool(s) of employees if selection will be necessary.

### **NOTIFY EMPLOYEES THAT THERE IS A POTENTIAL REDUNDANCY SITUATION AND THAT YOU WILL BE BEGINNING CONSULTATION**

- Ensure that you notify employees of the potential redundancy situation (including those who are absent) and make appropriate arrangements for consultation.

### **CONSIDER SELECTION CRITERIA**

- Ensure that selection criteria are relevant, reasonable, transparent, objective and non-discriminatory.
- Check that HR records are comprehensive enough to rely on for the purposes of scoring employees against proposed selection criteria.

### **NOTIFY THE EMPLOYEES WHO ARE AT RISK**

- Meet with all of the employees who might be made redundant (as a group).
- Explain the reasons for the potential redundancies.
- Explain how many jobs are at risk of being redundant (making sure it is clear that the redundancies are only a possibility at this stage).
- Explain that ways of avoiding the redundancies are being explored (for example, restrictions on recruitment, alternative employment, re-training, voluntary early retirement, voluntary redundancy, short-term working and restricting overtime).
- Ask the employees for suggestions of ways to avoid redundancies.
- Consider asking for volunteers for redundancy.
- Explain the pools and proposed selection criteria (if relevant).
- Explain the right to take time off to seek alternative employment.
- Take a note of the meeting.
- Ensure that you notify employees who are absent on eg sick leave or maternity leave.
- Follow up with a letter.

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### **CONFIRM SELECTION CRITERIA AND SCORE THE EMPLOYEES IN THE POOL(S)**

- Score each potentially redundant employee using the selection criteria and scoring guidelines.
- Ensure that at least two line managers conduct the scoring, to help ensure scores are objective.

### **INVESTIGATE SUITABLE ALTERNATIVE VACANCIES**

- Investigate own organisation and other group companies.
- Gather information regarding the packages for alternative jobs.
- Provide details to employees at risk of redundancy.

### **INVITE PROVISIONALLY SELECTED EMPLOYEES TO INDIVIDUAL CONSULTATION MEETINGS**

- Write to the employees who have been provisionally selected for redundancy, inviting them to a meeting to discuss their provisional selection.
- Inform them that they are entitled to bring a trade union representative or colleague to the meeting.
- Ensure that the letter is reasonably detailed, setting out the reasons for the redundancy situation and for provisionally selecting the employee for redundancy, and summarising the consultation that has been held with them to date.
- Explain that no final decision has been made at this stage, and that a further meeting will be arranged if their selection for redundancy is confirmed.
- Allow the employee a reasonable opportunity to consider this information before holding the meeting.

### **FIRST CONSULTATION MEETINGS**

- Consult with each employee individually about their scores, the proposal to select them for redundancy and the terms of the redundancy.
- Consider any comments from the employee, particularly in relation to their scores and if necessary undertake further investigation.
- Discuss details of any available alternative roles within the group (including those which would require some retraining and posts on a lower grade).
- Take a detailed note of the meeting.
- After the meeting, follow up any suggestions made to avoid the redundancies and consider any representations made on scores.
- If any employee's score changes as a result of this process, check if this will result in a change to the group of employees that have been provisionally selected for redundancy.
- If so, repeat the relevant parts of the procedure with any employees who have been selected for redundancy as a result of the review.

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### SECOND CONSULTATION MEETINGS

- Where a decision has been made to make an employee redundant, invite that employee to a further meeting.
- Allow the employee to be accompanied by a trade union representative or work colleague.
- Assuming that nothing has changed, confirm that the employee has been selected for redundancy.
- Go through the redundancy package.
- Remind the employee of the right to time off to seek alternative employment.
- Take a detailed note of the meeting.

### CONFIRM DISMISSAL

- Write to the employee confirming the decision to dismiss them as redundant and specify the termination date.
- Explain the calculation of the redundancy payment and any other payments to be made.
- Confirm that the employee has the right of appeal.
- Explain how to appeal and the relevant time limit.

### APPEAL

- If employee appeals, invite them to attend a further meeting to hear the appeal. If possible, the meeting should be held by someone senior to the person who held the previous meeting(s).
- Allow employee to be accompanied by a trade union representative or work colleague.
- Following the meeting, write to the employee confirming the outcome of the appeal and that this is a final decision.

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