**Human Resources information and guidance - top ten tips**

**Fact Sheet Seven: managing redundancies**

|  |  |
| --- | --- |
| **What happens if we need to consider redundancy?** | |
| Tip one | Don’t jump to conclusions! There is often a need for a PCC to consider whether it can continue to fund a post, but it is important not to jump to conclusions and to set out a process that considers all eventualities, with consultation, information and options. | |
| Tip two | Set out a process of review! If the PCC has decided that there is a need to review a post, a strategy for a role, funding available, or any other change – the first step is to set up a review group who will undertake a review on behalf of the PCC with terms of reference. | |
| Tip three | The PCC formal minute should record that ``the PCC agreed a process of review`` and stating that ``such a review may make a post/posts at potential risk of redundancy``. The PCC should avoid making a decision at this point or discussing an individual. | |
| Tip four | The review group should consult with the individual(s) to share the review process using the template policy attached, or the ACAS guidance, and to explain the reasons for the review process. Individuals should be encouraged to participate in the process. | |
| Tip five | When the review process has concluded and discussions with the individuals potentially impacted have taken place; a final decision should be taken by the PCC or the delegated group. Contributions by the staff affected should be included in the final review process. | |
| Tip six | Once the final decision has been made, the individual staff should be met with, and the final arrangements made for final formal letter and appeal process, notice period, and redundancy payments, final dates, communications and any other needs. | |
| Tip seven | When calculating redundancy payments this includes up to the final working day; payment in lieu of notice paid if the full notice period isn’t being worked; payment for accrued untaken holiday and the tax free compensatory amount. | |
| Tip eight | When a post is made redundant the individuals are entitled to take time off to seek alternative employment, time off for interviews and preparation. It is also important to review whether there are any other employment opportunities for those affected. | |
| Tip nine | Redundancies are never easy processes for those managing the process, and for those directly impacted; no matter how straight forward the issues may be (for example the end of a fixed term contract); seeking advice and guidance and having support is key. | |
| Tip ten | Undertaking a potential redundancy process requires compliance with employment law and there are several steps to be navigated. Please give the HR Team a call at the diocese to discuss any plans so that you can check anything through and be supported. | |

|  |
| --- |
| **Information sheet seven – further information,**  **and a draft PCC redundancy and appeal policy** |

|  |  |
| --- | --- |
| **Other sources of advice and support** | <https://www.acas.org.uk/redundancy> |
| **Government advice on calculating redundancy payments and notice periods** | <https://www.gov.uk/calculate-your-redundancy-pay>  <https://www.gov.uk/redundancy-your-rights/notice-periods> |
| **Template PCC redundancy policy** | Attached |

**Appendix 1 Draft PCC Policy**

|  |
| --- |
| **PCC policy – template redundancy policy – LOGO of parish** |

**Scope**

1. This policy applies to paid employees only. It does not relate to any volunteers in a parish role.

**Background and introduction**

1. The PCC recognise that the need to review structures and/or to reorganise will occur from time to time and the PCC will seek to minimise the need for redundancies by responsible and careful workforce and financial planning measures.
2. When a member of staff has been employed for two years or more they are entitled to the statutory requirements for consultation, options and alternatives etc. This also specifically includes any role on a fixed term contract for two or more years.
3. The purpose of this policy and procedure is to provide a framework for managing and supporting processes for when redundancy considerations are required.
4. Suitable alternative employment/redeployment will be offered where this is appropriate and available.

**Process of review and consultation**

1. The PCC will consider where a review of posts, funds and budgets, or other changes may be required, and set up a small review group to undertake such a review and consultation process and to report back to the PCC before a final decision is made.
2. The process will include:
   1. Consultation with the member(s) of staff potentially impacted and at each meeting the member of staff has the right to be accompanied by a workplace colleague or trade union representative.
   2. Time allocated for the staff to engage in the process and for them to offer ideas and suggestions.
   3. Pastoral support provided for those affected.
   4. Clarity on timelines for the whole process including consultation and final decision making.
   5. Without prejudice - potential information on payments (without prejudicing the outcome of the genuine consultation process).
   6. The final decision making process and clarity on ending dates, payments, and other arrangements.
   7. The right of appeal.

**Redundancy payments and notice period**

1. Redundancy payments will follow the government thresholds as a tax free compensatory payment.
2. All other payments notice period, accrued untaken leave, and payment to the final end date will remain subject to the usual deductions for tax and NI.
3. The notice period will follow the government threshold except where the contractual notice period is greater than this when the PCC will work to the contractual provision. Where all or some of the notice period is not to be worked, payment in lieu of that period of notice may be agreed.
4. If one is available a suitable alternative role may be offered on a trial period during which/at the end of which full redundancy terms will be honoured should this period not have proved successful. A higher graded role will not be deemed a suitable alternative.

**Voluntary Redundancy**

1. Individual employees may approach the PCC with a voluntary redundancy request at any time. Decisions will be made purely on a case by case base on merit, finances and business case – there is no right of appeal.

**Governance and PCC responsibilities**

1. The PCC may from time to time review its employment practices.
2. The PCC may appoint or delegate certain employment oversight, projects or developments for recommendation etc to a small working group/standing committee to oversee practical issues and to report back to the wider PCC.

**Appeals policy**

1. Appeals will be heard without unreasonable delay at an agreed time and place.
2. An employee must inform of their wish to appeal against a redundancy decision that has been taken, and the grounds on which they wish to appeal and should put these in writing within [one week] of the date that the decision was sent or given to them.
3. All appeals are considered by a Churchwarden and one other member of the PCC (or delegated members of a PCC employment working group) not previously involved.
4. The decision will be confirmed in writing without unreasonable delay [and usually within one week of the appeal hearing]. There is no further right of appeal.

|  |  |
| --- | --- |
| **Policy version** | Version one |
| **Approved by the PCC on (date)**  **Date for renewal of policy** |  |
| **Signed by (name)**  **Print Name**  **Role** |  |