

The RCH Group

At Risk of Redundancy Procedures

Personnel Committee:	Person Responsible: Maureen Gimby	Reviewed: April 2019 Next Review: April 2022
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1. Introduction

1.1 In the event of a potential risk of redundancy situation in any one of the RCH Group organisations, senior management will disclose relevant information to its trade union partners or employee representatives, whichever is relevant, if there is a likelihood of potential redundancies. In these instances, senior management will disclose the following information:

- The background and business case for the proposed structure amendments
- The reasons for the proposed redundancy(ies)
- The total number of employees affected by the proposals
- The number and description of employees whom it proposes to dismiss (either voluntary or compulsory)
- Proposed method of selection for redundancy
- Proposed method of how the dismissals will be carried out, including the period over which dismissals are to take effect
- Proposed method of calculating redundancy pay
- The timetable for implementing the proposed structure amendments

2. Consultation Arrangements

2.1 River Clyde Homes (RCH) will consult with its trade union partners in the Joint Consultation Forum (JCF) if the proposed organisational structure amendment(s) is likely to affect employees in any company within the RCH Group or it will consult with the relevant trade union(s) for the affected membership group to which it has consultation arrangements within the RCH Group. RCH will also consult with the relevant trade union(s) on the likely impact this/these proposal will have on current staffing levels within its Group companies. Whilst every effort will be made to provide a new job role for employees following any proposed structure changes process, there may be a potential risk of redundancy for some posts and these will be kept to a minimum, where possible.

2.2 The RCH Group has a statutory responsibility to disclose relevant information to its trade union partners if there is a likelihood of potential redundancies. In these instances, the RCH Group will disclose the following information:

- The background and Business Case for proposed structure amendments
- The reasons for the proposed redundancy(ies)
- The total number of employees affected by the proposals
- The number and description of employees whom it is proposed to dismiss (either voluntary or compulsory)
- Proposed method of selection for redundancy
- Proposed method of how the dismissals will be carried out, including the period over which dismissals are to take effect
- Proposed method of calculating redundancy pay
- The timetable for implementing the proposed structure amendments

- 2.3 In addition, as in any organisational structure changes which has the potential for redundancy, the RCH Group has a statutory responsibility to assist employees in finding alternative work as a means of reducing the numbers dismissed due to redundancy. The RCH Group will make every effort to secure alternative employment for all employees at risk of redundancy, wherever possible, and will ensure that all employees are treated fairly in any and all selection methods.
- 2.4 The RCH Group will comply with the statutory regulations relating to redundancy situations. It will, commit to extensive consultation with the relevant trade union(s) and the wider staff body for a minimum consultation period of 30 days. This consultation will involve consideration of the proposed structures amendments.
- 2.5 Notwithstanding 2.4 above, if less than 20 employees are at risk of redundancy, individual consultation will also take place with the affected employee(s) with their representatives in addition to collective trade union consultation.
- 2.6 The RCH Group will consider any representation or counter proposal submitted in writing by affected employees or the appropriate recognised trade union(s) and will respond in writing within 10 working days to any submissions received during the consultation period. Where it rejects representations in whole or in part, the reasons for rejection will be stated in writing.
- 2.7 The RCH Group will follow a positive process of matching and ring fencing as outlined in Section 3 below, wherever possible. However, if there are still employees identified to be 'at risk' of redundancy due to the nature of their workgroup and/or future service needs and there are no equivalent posts available, expressions of interest for voluntary redundancy may be sought in equivalent grades / job roles to encourage employment opportunities for these employees. Should this not generate any further opportunities, compulsory redundancy consultation will take place with the relevant trade union partner(s) to agree selection criteria for redundancy and the implementation arrangements.
- 2.8 The selection criteria for redundancy consultation may be different in each circumstance and may include: performance; relevant qualifications and experience, relevant skills in relation to organisational need (present and future), disciplinary record, and attendance record (recognising employee's rights under the Equality Act 2010). The agreed selection criteria and its application will be explained to those affected.
- 2.9 When using redundancy selection criteria, assessments will be carried out by the employee's manager together with a member of the Senior Management Team and a member of the Human Resources (HR) Team. The application of the criteria will be lawful, objective, fair and reasonable and be applied to all affected employees.
- 2.10 Any employee selected for redundancy will have the right of appeal against dismissal. The appeal should be submitted in writing to the Head of Corporate Services within 10 working days of written confirmation of the notice of redundancy and the grounds of appeal must be stated.

2.11 Recruitment to the new structure roles will not take place until after the consultation period has concluded and any proposed amendments to the structure amendment proposals and / or arrangements have been agreed by the Board.

3. Process for Moving People when Structure Agreed

- 3.1 The RCH Group will follow a positive process of matching and ring fencing employees to job roles in the amended structure, where possible. The Executive Management Team (EMT) will determine the matching criteria for all management posts, supported by senior members of the HR Team and a relevant member of the Senior Management Team (SMT) will determine the matching criteria for all remaining posts, supported by senior members of the HR Team.
- 3.2 Where there is a degree of comparability between the duties of an existing substantive post and those of a new post, then the posts will be assessed as a “match”. This can either be:
- A “unique” match (where the number of posts in the amended structure and current substantive postholders are equal or there are more posts in the amended structure than current substantive postholders) or a
 - A “competitive” match (where the number of posts in the amended structure is less than the current number of postholders or that the new post cannot be exclusively matched to any individual substantive postholder but a combination of substantive postholders).

Assessment of either a unique or competitive match will be based on the following:

- (i) Job Profiles and duties of both current and proposed role
- (ii) Person Specification for both current and proposed role
- (iii) Grade attached to both posts
- (iv) The employee’s adaptability, flexibility, attitude, ability and relevant skills/knowledge

- 3.3 Those employees who do not qualify as a unique match but are eligible for a competitive match, may be deemed to be ‘at risk’ of redundancy. Any employee in this category will be able, and will be supported, to apply for any posts in the amended structure either one tier above or to their new equivalent tier if there is no employee directly matched to the post.
- 3.4 All affected employees who are not a “unique” match will require to complete the skills audit form to determine suitability to the role and/or to develop a learning plan to facilitate successful redeployment and reskilling into other job opportunities.

4. Managing Employees “At Risk” of Redundancy

- 4.1 Those employees not successful in gaining a post as outlined at 3.2 above may be retained for a period of 3 months on their current terms and conditions to determine

any further redeployment options at their grade or one grade **below** their current equivalent tier as these become available. In this instance, these vacancies, including temporary post opportunities, will be restricted to the “at risk” employees being considered if they meet the person specification requirements for the role(s) before being released for open recruitment, either internally or externally.

4.2 “Targetted” voluntary redundancy expressions of interest may also be sought to create opportunities and suitable alternative employment for those ‘at risk’ as a way of avoiding compulsory redundancies. However, approval of applications for voluntary redundancy may be made on the basis of cost and/or knowledge and transferable skills

4.4 Any remaining posts unfilled in the amended structure may be advertised externally only where there has been no direct match nor any permanent employee appointed to the post following either interview or assessment.

5. Job Evaluation and Total Reward

5.1 All new posts will go through a process of Job Evaluation. Any new senior management posts (Chief Executive Officer, Executive Directors and Heads of Service) will be externally evaluated against comparative organisations and other sector comparators. All other posts will be evaluated using the Northgate job evaluation system licensed to RCH.

5.2 The ‘Total Reward’ package introduced from October 2016 confirming a more standardised and consistent rewards and recognition package for all employees – contracted hours; core hours; flexible working options; holidays and other leave; healthcare support; pensions; performance related benefits etc will continue and any proposed amendments will be subject to consultation with the relevant trade union(s).

5.3 If an employee is matched into a post and the new salary for that post is less than their current salary, the employee’s pay will be protected for one year as has been agreed with the Trade Unions. After one year, pay protection will end and the employee will receive the agreed salary for the post.

5.4 If an “at risk” employee accepts a new job role at a lower grade than the employee’s deleted post, the employee will be protected on his/her current terms and conditions for one year as has been agreed with the Trade Unions. After one year, pay protection will end and the employee will receive the agreed salary for the post.

5.5 If an “at risk” employee as outlined in para 4.1 above, accepts a new job role at a lower grade than the employee’s deleted post, the employee will be protected on his/her current terms and conditions for a further period of 6 months or the remainder of the one year protection period, whichever is the more, as has been agreed with the Trade Unions. After this full year, pay protection will end and the employee will receive the agreed salary for the post.

6 Employee Support

- 6.1 The RCH Group recognises that employees affected by organisational change either directly as a result of redundancy or redeployment or indirectly, should have access to a range of employee support facilities. These include the free counselling service through Westfield Health and Trade Union support. Further information is available from the HR Team.
- 6.2 Employees 'at risk' of redundancy will also be given reasonable time off with pay for the purpose of seeking alternative employment.

7 Consultation Support Arrangements

- 7.1 The RCH Group will offer a range of consultation support arrangements when consulting with trade unions and employees on structure amendments and these arrangements will be reviewed on a regular basis on their effectiveness and on how they meet the needs of employees during any consultation and/or structure implementation periods. These arrangements may include (and are not exhaustive):
- Early morning /late afternoon "drop in" or "toolbox talks" sessions in Springkell Street;
 - Early morning and lunchtime "drop in" sessions in Ladyburn, Roxburgh House, Springkell Street
 - Formal and informal 1-1s with relevant staff
 - Additional Joint Consultation Forum meetings, Staff Forum meetings, Team meetings
 - "Ask the Chief" reinstated
 - Dedicated additional "HR" mailbox for confidential responses to individual queries
 - FAQs posted on the Intranet and updated regularly
 - "Preparing for Interview" training etc
- 7.2 In addition to the consultation arrangements and support mechanisms that will be put in place during any structure amendments, a formal timetable for action and consultation will be developed in consultation with the relevant trade union as required.

8 Related Legislative and Statutory Framework

- Equalities Act 2010
- Employment Rights Act 1996
- Trade Union and Labour Relations (Consolidation) Act 1992

9 Key Stakeholders

- Joint Consultative Forum
- All staff
- Board/Personnel Committee

10 Related Documents

- The RCH Group Organisational Development Strategy
- The RCH Group Scheme of Delegation
- The RCH Group Equality & Diversity Policy
- The RCH Group Workforce Planning Establishment Policy
- The RCH Group Job Evaluation Procedures
- The RCH Group Voluntary Redundancy Compensation Scheme

8 Monitoring and Review of Procedures

- 8.1 The Head of Corporate Services has responsibility for monitoring the effectiveness of this policy and its relevant procedures and documentation. It will be reviewed on a three-yearly basis or earlier if required to respond to new legislation, regulations or best practice requirements. Any review will take account of the views of the trade union partners or employee representatives who use this policy and its relevant procedures on a regular basis.