

# Redundancy Policy

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**Version 3**

**Greater Manchester Police**

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## 1. Introduction and Background

### Policy Statement

Greater Manchester Police (GMP) is committed to maximising job security for police staff and, wherever possible, avoiding compulsory redundancies. However, there will be occasions when, in an effort to improve, or respond to external demands, changes will affect the number and nature of police staff posts required. This policy explains how these changes will be addressed.

We'll consult with the Trade Union to try to find ways to minimise redundancies, including making efforts to find suitable alternative work.

If redundancies are necessary following all reasonable efforts to avoid them, we'll handle them in a fair, sympathetic and non-discriminatory way.

When making changes we'll aim to keep the right mix of skills, competencies and experience in order to meet the needs of the force.

### Aims

The aims of this policy are to:

- explain how we'll deal with you if we propose to make changes that may affect your job, and
- comply with relevant employment law and the principles of the ACAS codes of practice.

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## 2. Scope

This policy applies to all police staff who are affected by potential redundancy situations.

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## 3. Terms and Definitions

### Substantive Post

When we refer to your post in this policy, we mean your Substantive Post. Therefore if you're acting up, seconded or temporary, we mean your original job.

### Redeployment

Redeployment is the process of trying to find you a suitable alternative job.

## Ringfence

When we decide to ringfence a new or changed job, we consider an individual or small group of staff for it. This would happen if we think they have a claim on the job. Only if none of those staff are appointable would we attempt to recruit from other redeployees, the workforce as a whole or externally.

## Redundancy Situation

You may be in a Redundancy Situation if we dismiss you because:

- we intend to stop doing the work which you are employed to do,
- we intend to stop doing the work which you are employed to do in the place where you work,
- we need less people to do the work you are employed to do, or
- we need less people to do the work you are employed to do in the place where you work.

## Redundancy Payment

A payment you're entitled to if you leave on the grounds of redundancy and you have 2 or more years' Continuous Service.

## Continuous Service

For the purposes of this policy, Continuous Service means your number of years service, without a break, with GMP or any other body under the Redundancy Payments (Continuity of Employment in Local Governments, etc.) Modification Order 1999 as amended.

## Discretionary Compensation

The Local Government (Early Termination of Employment) (Discretionary Compensation) Regulations allow us to pay you additional compensation if you are made redundant (so long as we've not awarded you additional membership of the LGPS.)

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# 4. Roles & Responsibilities

## Responsibility of Managers

Lead Officers for changes will:

- once the implications of a review have become clear, communicate with all staff potentially affected explaining to them the reason for the review and the options being considered,
- be involved in the consultation process, and
- lead the implementation process.

Line Managers are responsible for:

- communicating and consulting individually with staff throughout all stages of the process
- feeding back comments from staff to Lead Officers as appropriate
- providing appropriate support to staff, and
- treating staff sensitively, fairly and in line with this policy.

## Responsibility of Staff

You are responsible for:

- participating in the process and meetings with your manager, and
- being reasonable in your consideration of suitable alternative job offers.

Trade Union representatives will:

- provide clear and relevant feedback
- consult with their members to seek views
- encourage members to participate fully and meaningfully in the process, and
- work within the timescales identified.

## Responsibility of HR

HR will:

- monitor and review the application of this policy
- provide expert advice to all parties when required
- be involved with consultation with the staff side
- make sure that we comply with our legal responsibilities in relation to collective redundancy situations
- make sure that procedures are complied with, and
- make sure that organisational learning points are identified and communicated to relevant parties.

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## 5. Principles

### 5.1 Consultation

#### Consultation with the Recognised Trade Union

If there are potential redundancies we'll consult with the Recognised Trade Union in line with our Negotiation and Consultation Protocol . We'll also comply with any minimum periods for formal consultation that are legally required.

The formal consultation period will commence as soon as we have firm proposals to share with the Union. However, wherever possible, we'll engage with and share information with the Union before and after the formal period.

We'll disclose the following information to the Union when we start formal consultation:

- the reasons for the proposals
- proposals for new, deleted or changed jobs
- the numbers and descriptions of staff we propose to dismiss as redundant
- the total number of staff of that description employed at that location and/or by us
- the way we propose staff will be selected for redundancy, and
- how and over what period any dismissals will be carried out.

#### Consultation With you

If you're potentially at risk of redundancy we'll also consult with you. This means we'll share (in writing) the proposal for your job and how this is likely to impact on you. Your manager will give you the opportunity to provide comments or suggestions throughout the consultation period. If they can't resolve your comments or suggestions they'll feed these back to the Lead Officer.

## 5.2 Proposals for change

If we're proposing changes that may result in multiple potential redundancies we'll let you know at the earliest possible time whether you may be affected by the changes.

As soon as we have firm proposals for change, we'll tell you how your Substantive Post is likely to be affected. This will usually be in one of the following ways.

### a) Your job is safe

You'll stay in your Substantive Post if it's largely unchanged in relation to:

- grade
- nature of the work
- skills, knowledge and experience required, and
- number of people doing the job.

### b) Number of posts reducing

If your Substantive Post remains largely unchanged, but there's a reduction in the number of posts available, you'll be in a pool and we'll apply selection criteria to you and your colleagues in that pool. This will be the standard selection criteria unless we agree a different criteria with the Trade Union.

We'll allocate the available posts in order of score under the selection criteria (highest to lowest). Therefore, those who score the lowest will become at risk of redundancy.

### c) At risk of redundancy

If we intend to remove your Substantive Post and stop providing the service that you provide, you'll immediately be at risk of redundancy.

### d) New posts, or posts that are significantly changing

We may Ringfence a job to you if:

- we think you have a claim on a new job, or
- your job is significantly changed in relation to:
  - grade
  - nature of the work, or
  - skills, knowledge and experience required.

In this situation we'll use appropriate assessments and / or interviews for selection. You'll need to demonstrate that you're appointable to the new or changed job. If you're unsuccessful then you'll be at risk of redundancy.

## 5.3 Small scale changes or individual redundancy situations

You may be in a Redundancy Situation if:

- you're in an externally funded post and funding is withdrawn,
- you're in a temporary post which comes to an end, or
- there's a small scale review which results in your post being removed.

If this happens we'll let you know at the earliest time possible, explain the consequences to you and consult with you and the Trade Union.

## 5.4 Minimising Redundancies

Any consultation period will include considering ways of:

- avoiding the redundancies

- reducing the numbers of staff to be redundant, and
- mitigating the consequences of redundancies.

For example we may consider options such as:

- not filling vacancies
- making and reviewing short term temporary appointments
- enabling and assisting staff development, or
- promotion of flexible working opportunities such as part time and job-share.

We may invite you to express an interest in a newly created job, (before we consider other staff) if:

- you're at risk of redundancy or in a pool for selection
- the new job is a suitable alternative, and
- there are no other staff with a claim on the new job.

We'll also consider any options proposed by the Trade Union or by you.

### **Voluntary Redundancy**

Before inviting applications for voluntary redundancy we'll consider:

- our aim to minimise compulsory redundancies
- financial considerations, and
- the need to keep key skills within the organisation.

We may consider applications for voluntary redundancy at any stage of the process.

## **5.5 Equality**

We'll take steps to make sure that the way we select individuals for redundancy does not unfairly disadvantage any staff who have a protected characteristic under the Equality Act.

## **5.6 Redundancies**

### **Issuing Notice**

At the end of the formal consultation period if you're still at risk of redundancy we may issue you with notice of redundancy. We won't issue notice until we've met the minimum consultation requirements. We'll give you your contractual notice, unless we agree a longer period of notice with the Trade Union.

### **Pay in lieu of notice (PILON)**

We expect you to work your notice period. However, we may grant you PILON in limited circumstances (for example if your work has already stopped or there are exceptional personal circumstances.)

If we agree to PILON you'll leave on an agreed date before the end of your notice period and this will become your new last day of service. We'll pay you a sum of money equivalent to your salary as if you'd worked your full notice period.

If we've granted you PILON you'll still get a redundancy payment, but your last day of service will have changed. This could change your redundancy payment, pension and / or annual leave entitlement.

### **Time off to seek work**

During your notice period your manager will allow you reasonable time off with pay to seek alternative work or to make arrangements for training.

### **Redundancy Payments**

If you leave GMP on the grounds of redundancy and you have more than 2 years service we'll pay you a redundancy payment.

We'll calculate your redundancy payment using the Statutory Redundancy Pay Table (taking into account your age and Continuous Service). We'll use your actual week's pay at the time that you leave (rather than the statutory maximum) to calculate the total redundancy pay.

All Redundancy Payments are discussed at the Human Resources Governance Group.

#### *Discretionary Compensation*

We won't normally make Discretionary Compensation payments. However, in exceptional circumstances, the Force Command team may decide to do so.

### **Pensions (LGPS members only)**

If you're made redundant and are 55 or over on your last day of service we'll release your unreduced pension in line with the LGPS rules. See the [Police Staff Retirement Policy](#) for further details.

## **5.7 Appeals**

You may appeal against your redundancy if:

- you were selected from a pool through use of redundancy selection criteria, or
- you think we've not complied with this policy.

For large-scale exercises, your appeal will be submitted on paper for consideration by a panel. The members of this panel will not have been involved in the original decisions.

## **5.8 Redeployment**

If you're in a Redundancy Situation and have over one year's service we'll try to redeploy you in accordance with the [Redeployment Procedure](#). We'll do this during your contractual notice period (4 – 12 weeks) as a minimum, but we may start this process earlier if possible.

### **Refusal of redeployment opportunity**

If you refuse an offer of redeployment you must tell us why. If we consider the job to be a suitable alternative, and your refusal is unreasonable, you could lose any right to a redundancy payment.

### **Protection arrangements**

See the Police Staff Handbook (section 11) for details of the compensation we may pay you if, as a result of a redundancy situation:

- you're redeployed into a lower paid job
- your pay is reduced, or
- you're required to spend more money on travelling to work.



## 5.9 Returning to GMP following Voluntary Redundancy

If you leave GMP as a result of Voluntary Redundancy you will not be permitted to take up a future role within GMP for a period of 6 months following your last day of service. This includes posts that may be advertised via a recruitment agency.

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## 6. Associated Documents

### GMP Policies

[Redeployment Procedure](#)

### GMP Guidance

Redundancy Management Toolkit

### Legislation

Employment Rights Act 1996

Trade Union and Labour Relations Act

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## 7. Statutory Compliance

### 7.1 Data Protection Act (2018) & GDPR

The Policy is compliant with the Data Protection Act and GDPR. Records that include personal data are not disclosed to any third parties. Due regard has been had to the Information Commissioner's Employment Practices Code.

### 7.2 Freedom of Information Act (2000)

The policy is disclosable under the Freedom of Information Act.

### **7.3 Equality Act 2010**

The policy is compliant with the Equality Act. The Policy requires all redundancy exercises to be monitored by an HR person and this will include monitoring for any disproportionate impact on staff with protected characteristics. Staff with protected characteristics are not adversely effected by the Policy itself.

The policy is clear that steps will be taken to make sure that the way we select individuals for redundancy does not unfairly disadvantage any staff who have a protected characteristic. If a method for selecting for redundancy does disadvantage a group of staff who have a protected characteristic, then steps will be taken to minimise that disadvantage. For example, if sickness was taken into account as a method for selecting for redundancy, then a reasonable adjustment would be made for staff with a disability.

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