



*A voice for families of children and young people with special educational needs and/or disabilities*

## **REDUNDANCY POLICY**

### **Purpose and scope**

The aim of this policy is to set out the principles and processes in the event that we need to consider making redundancies. This policy is not contractual which means that and we may alter this policy at any time. If we do make changes we will let you know what they are.

The Forum will apply this policy to employees, self-employed contractors and volunteers, although they will not be entitled to redundancy pay.

### **Introduction**

We place a high priority on maintaining job security for all our staff. However, changes in grant funding and/or working methods may result in the requirement to reduce the number of staff. This in turn may lead to a redundancy.

A redundancy situation occurs where there is a reduction (or ending) of work that leads to a reduction in the number of staff employed at a place of work. Redundancy can also occur when an employer needs to make changes in the way work is organised.

If the work that we are commissioned to deliver is transferred to another employer then you may be transferred to the new provider under the Transfer of Undertakings (Protection of Employment) regulations (TUPE) in which case you would not be redundant.

### **Principles**

Wherever there is a risk of redundancy, we aim to:

- reduce, avoid or limit the effects of compulsory redundancies
- follow a genuine and meaningful consultation process
- actively consider alternative employment
- ensure that if redundancy occurs, we handled it in accordance with the law
- follow a transparent, fair and reasonable process.

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### **Selection for redundancy**

If we need to contemplate a potential redundancy, we will identify the posts that are potentially affected and consider whether redundancy can be avoided. Where appropriate we will consider voluntary redundancies although we reserve the right to decline a request where we need to retain particular skills, knowledge or experience.

If we need to reduce the numbers of posts in a particular role and there are more staff than available posts, we will use specific criteria on which to select. Such criteria will be designed to ensure that we retain the knowledge, skills, experience and flexibility that we need for the future. Selection criteria will not be relevant where a single post is identified at risk of redundancy.

### **Consultation**

In the event of a risk of redundancy identified by Trustees, we will consult with staff to discuss proposals, answer questions and gather views and suggestions before a final decision is made. We will consult with staff on an individual basis.

### **Statutory redundancy pay**

If you are made redundant, you will be entitled to statutory redundancy pay as long as you are an employee and have over two years' service. Statutory redundancy pay is calculated dependent on your salary, length of service and age (both salary and service are capped) as follows.

- ½ week's pay for each full year of service where your age was under 22
- 1 week's pay for each full year of service where your age was 22 or above, but under 41
- 1½ week's pay for each full year of service where your age was 41 or above

Length of service is capped at 20 years and weekly pay is capped at rate set by the government in April of each year. See [DirectGov](https://www.direct.gov.uk) for further information on qualifying rules and statutory rates.

### **Notice**

If you are made redundant you will be entitled to notice. The period of notice will be stated in your employment contract. If statutory notice exceeds what is stated in your contract then you would be entitled to statutory notice. Statutory notice is at least one week's notice if employed between one month and two years, one week's notice for each year if employed between and 12 years, and 12 weeks' notice if employed for 12 years or more.

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In most cases you will be required to work out your notice period. However, in some cases we may decide it is more appropriate to give a payment in lieu of notice. This will be at our discretion and will depend on the circumstances at the time.

Formal notice of redundancy will be confirmed in writing and will include the calculation for any payments due on termination, including any statutory redundancy pay entitlement.

During the notice period, you will be entitled to reasonable paid time off for alternative job search, eg to attend interviews. This time off must be agreed in advance.

**Redeployment**

If we have a suitable alternative role you may be offered that role. The new role would begin immediately after the notice period for the redundant role comes to an end. Offers of alternative employment which are made in this way will include a statutory trial period of four weeks.

If at any stage during the trial period either party concludes the role is not suitable, then your right to redundancy payment is preserved. If we believe that you have unreasonably refused a suitable alternative employment, you will lose your right to a redundancy pay.

**Appeals**

You will be given an opportunity to appeal against your redundancy dismissal. The redundancy notice letter will confirm who the appeal should be lodged to and the timescales to appeal. The appeal would normally be heard by a member of the board of trustees. There is no further right of appeal.

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