

HR & OD POLICIES

human resources and organisational development



Redundancy Policy

This policy is for general use and cannot cover every personal circumstance, nor does it cover specific protected rights that may apply to particular employees. In the event of any dispute the appropriate legislation will prevail as this document does not confer any statutory rights and is provided for information purposes only and may be subject to change by legislation or otherwise.

1. POLICY STATEMENT

Aberdeenshire Council is committed to providing a stable work environment and job security for employees whilst providing the best possible service to the community of Aberdeenshire.

It is recognised that providing the most effective and efficient service may require changes to the structure of the Council. In these circumstances Aberdeenshire Council is committed to maintaining job security wherever practicable and will make every effort to secure employment.

Aberdeenshire Council will seek to avoid making posts compulsorily redundant. In the majority of situations it is anticipated that alternative employment will be found, volunteers sought or other measures put in place to diminish the need for compulsory redundancies. However, it is recognised that there may be occasions when redundancy as a last option must be instigated. This policy will ensure that in these circumstances employees will be treated in a fair and consistent manner.

Employees will be treated with respect, sensitivity and honesty. Support will be provided throughout the process to employees by line managers, Human Resources, and where appropriate the Employee Assistance Programme (EAP).

This policy does not cover employees whose employment is terminated due to ill health, capability, work performance ability or who are dismissed under the terms of Aberdeenshire Council's Disciplinary Policy.

2. SCOPE OF POLICY

This procedure will apply to all employees of the Council covered by the following National Schemes of Conditions of Service:

- SJC for Local Government Employees
- SJNC for Local Authorities' Service - Craft Operatives
- SJNC for Local Authorities' Service - Chief Officials
- Scottish Negotiating Committee for Teachers (SNCT)

3. RELATED LEGISLATION

This policy links to other associated policies, agreements, legislation and procedures including:

- The Employment Act 2002 (as amended)
- The Trade Union and Labour Relations (Consolidation) Act 1992 (as amended)
- The Collective Redundancies and Transfer of Undertakings (Protection of Employment) (Amendment) Regulations 1995
- The Employment Rights Act 1996 (as amended)
- The Collective Redundancies and Transfer of Undertakings (Protection of Employment) (Amendment) Regulations 1999
- The Redundancy Payments (Continuity of Employment in Local Government etc.) (Modification) Order 1999 ('the Modification Order')
- Local Government (Discretionary Payments and Injury Benefits) (Scotland) Regulations 1998 (as amended)
- Trade Union and Labour Relations (Consolidation) Act 1992 (Amended) Order 2013
- The Teachers (Compensation for Premature Retirement and Redundancy)(Scotland) Regulations 1996 (as amended)
- The Part-Time Workers (Prevention of Less Favourable Treatment) Regulations 2000 (as amended)
- The Equality Act 2010

4. PRINCIPLES

Aberdeenshire Council will approach any potential redundancy situation of an employee in a fair and consistent manner.

At the earliest opportunity full consultation will be undertaken by Aberdeenshire Council with employees and all appropriate recognised Trade Unions throughout the redundancy process. The frequency and content of this consultation will depend on the scope of the redundancy situation.

Every effort will be made to minimise or avoid compulsory redundancies.

The criteria used to select employees for compulsory redundancy (where necessary) will be fair and avoid unlawful discrimination.

Appropriate counselling and support will be provided for employees affected by the loss of their employment or their colleagues' employment.

Redundancy

Index of Documents

Policy

Revision Date	Previous Revision Date	Summary of Changes
01-04-2011	-	Creation of all documents
06-04-2013	01-04-2011	Collective Redundancies - change to the timescale
24-07-2015	06-04-2013	Format update