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This information is intended to be a brief introduction to the subject. Legal information is provided for guidance only and should not be regarded as an authoritative statement of the law.

Leaflet 11

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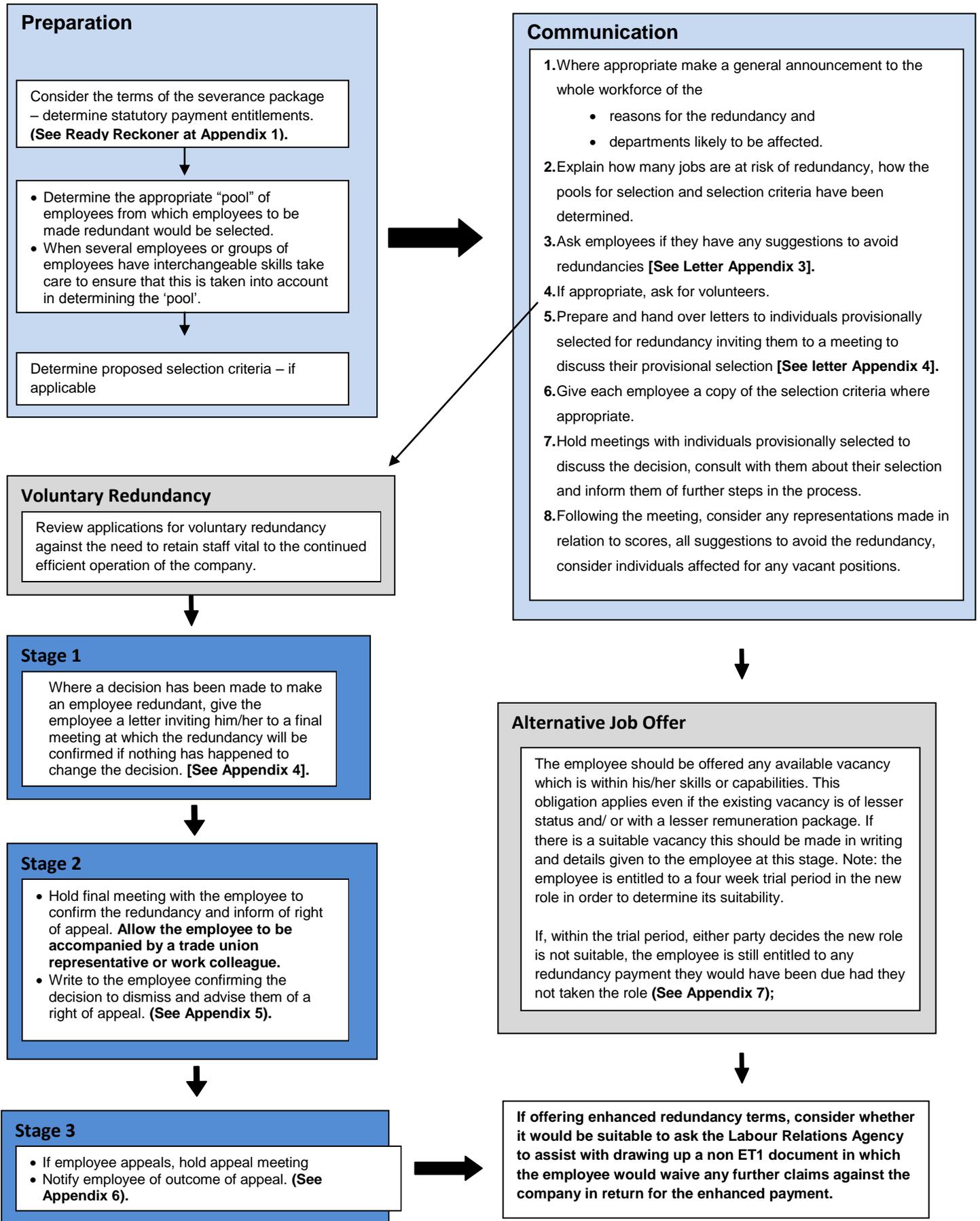
Handling redundancies in a small business

This leaflet is aimed at employers where fewer than 20 staff are at risk of redundancy. It covers the legal basics, explores alternatives to redundancy, and takes employers through the process they need to follow to be fair and stay within the law in this situation.

In a situation where more than 20 employees are at risk of redundancy follow the advice given in the LRA Advisory Guide - [Advice on handling redundancy](#)

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Redundancy Flowchart - (20 or less employees being made redundant)



What is redundancy?

Redundancy is generally where an employer needs to reduce their workforce - for example, if the business is closing or certain work is no longer required.

As the employer of a business, you may be worried about a downturn in trade.

- Is there enough work to keep staff busy?
- Is there sufficient income to pay wages and keep the company afloat?

You may be considering making redundancies to reduce the number of staff you employ to cut costs. This can be a daunting prospect which will affect you and your employees.

If you have to make redundancies they should be for the following reasons.

- You have ceased, or intend to cease, carrying on the business for the purposes of which you employ someone.
- You have ceased, or intend to cease, carrying on the business in the location you employ someone.
- You no longer require your employees to carry out work of a particular kind.
- You no longer require your employees to carry out work of a particular kind in a specific location.

Redundancy can occur where the amount of work disappears completely, or where the amount of work reduces. Redundancy is potentially a fair reason for dismissal so long as you are reasonable in the way you handle the situation.

Seriously consider alternatives to redundancy

Before you start a redundancy process, consider all the alternatives you could use or combine to reduce redundancies, or even prevent them altogether.

The alternatives include:

- **Reducing or ending overtime** - Check your contracts first.
- **Stop recruiting and retrain staff** - This can often save you money and be better for morale.
- **Stop using contractors/casual staff/agency workers** - Be clear on their employment status first.
- **Offering flexible working** - Employees are more productive with a better work-life balance, so offering part-time working, job shares etc can save you money and avoid redundancies.

- **Offering voluntary redundancy** - Ask employees if they would consider this option. Don't single out individuals otherwise you could be accused of discrimination, and remember a voluntary redundancy is still a dismissal. If your most valuable members of staff volunteer you do not have to accept their requests for redundancy.
- **Temporarily lay-off employees** - This is not the same as redundancy. If you have a temporary lack of work available and you already have employee agreement, or can get agreement, you can 'lay off' your staff for a period of time, usually with considerably reduced pay. To find out more, see LRA Information Note [No.5 Temporary lay-off and short-time working](#).
- **Temporarily place employees on reduced hours working** - This is similar in practice to lay-offs, and is where, **with agreement**, employees are laid-off for a number of days each week, or for a number of hours during a working day. To find out more, see Information note [No.5 Temporary lay-off and short-time working](#).
- **Changing your staff employment contracts** - Sometimes you might not want to lose your staff but instead can **agree** new terms and conditions such as wages, hours and duties. As a last resort, you may need to impose changes to terms and conditions which are often simpler and better alternatives to redundancies. If you impose changes in contractual terms **without the agreement** of the employee, or without dismissing and re-engaging the employee, then there will be a breach of contract. This is called a unilateral variation of contract. To find out more, see LRA Advisory Guide - [Advice on agreeing and changing contracts of employment](#)

Preparation

Draw-up a draft framework of what you are thinking of doing and in what order. When making/intending to make fewer than 20 people redundant, this should include.

- **Focusing on your businesses future** - It's important to remember that redundancy is meant to help you get your business back on track. You'll need to plan how the business will operate when redundant staff leave and communicate your vision for the future of the business to the staff that will be staying.
- **Briefing your managers** - Talking with your managers will help smooth the process and help you work out what support they need. If you are the owner and only manager, you may need help and/or training.
- **Talking to your staff** - You're legally required to **consult meaningfully** with your staff. This is a very specific way of discussing the situation with staff, so working out how, when and what to talk about is important. It's also useful because your staff may give you options that you hadn't previously considered.

- **Be careful in choosing which jobs will go** - If redundancy does turn out to be the way forward, you need to plan how you will fairly and consistently decide which jobs will go. You also need to plan how you will select people for redundancy from those posts.
- **Giving an indication of redundancy notice and pay** - this should be part of your discussions and, handled well, can be reassuring for your staff and your business planning.
- **Remembering notice period rights** - Being mindful of special rights your redundant staff have to look for jobs or training will help you plan ahead. An employee with two years' continuous service who is being made redundant can take reasonable time off with pay to look for another job, or to arrange training. You do not have to pay more than two fifths of a week's pay no matter how much time off you give the employee.
- **If other jobs in your business come about** - Ensure there are provisions for trial periods that could help you avoid redundancy costs. Employees who accept an offer of alternative work are allowed a four week trial period, after the notice period, to see if the work is suitable. The four week trial period can be extended by agreement this should be in writing and show the date on which the trial period ends. They may still claim a statutory redundancy payment (SRP) if you both agree that the work is not suitable. If you think the job is suitable but the employee unreasonably refuses to take it, they may lose any entitlement to a statutory redundancy payment.
- **Allowing staff to appeal against their selection for redundancy** - This can often give you a chance to be absolutely sure you've done the right thing, and give you the opportunity to put it right if not.
- The Redundancy Payments Service (RPS) can you help if you need to reduce your workforce but are unable to meet the cost of statutory redundancy payments without your business becoming insolvent. See [Redundancy Payments Service](#)

Brief your managers

It is in everyone's interests for you to start talking to your employees about the circumstances your business faces - but before you do that, you will need to have your managers prepared, trained, informed and ready to support you.

If you're the owner and only manager

You are likely to manage the redundancy process on your own, unless you bring in external help. If you are on your own, make sure you are fully prepared and trained, and set aside as much time as is needed.

In particular, ensure you are confident about handling the redundancy process correctly and trained to conduct one-to-one interviews with staff at risk of losing their jobs.

These one-to-ones can be emotionally draining and a psychological strain, so make sure you are prepared to handle them.

If you have several managers and/or owners

You will need their full support. They should be involved in the process from the beginning, fully understand the business case for what you are proposing, and be kept up to date throughout so they can:

- come up with ideas that help smooth the process and even reduce or avoid redundancies
- effectively talk and liaise with staff
- make redundancy dismissals and give notice of when staff selected for redundancy will leave
- help you restructure your business in the best possible way.

Talk to your staff

When you are making fewer than 20 employees redundant you are legally required to have meaningful individual consultation - and that's with all affected staff, not just those who may be made redundant.

Unlike larger-scale redundancies, there is no fixed period of consultation required. It needs to be enough to be meaningful to your particular situation. This means it is likely you'll need more than one meeting with each employee.

These meetings are not a set of negotiations, nor are not simply about telling your employees how things are going to be. You, or your managers, **must** meet each employee privately, at least once, listen to them and genuinely consider their suggestions, even if you don't accept them.

Don't skip the one-to-ones only by meeting with your staff as a group. There is a risk that redundancies could be unfair and you may end up at an industrial tribunal.

Benefits of meaningful individual consultation include:

- a better chance of finding alternative jobs for staff
- increased employee morale; they'll feel included and see they have an input into the process
- ideas and options that you hadn't considered/identified previously
- an opportunity for you to become aware of other relevant issues early on.

Examples of what you need to consult about include:

- informing the employee of the situation, what you intend to do about it, and why
- the criteria for the selection process
- ways to avoid/minimise redundancies
- listening to any concerns about the process or any other relevant matters
- assisting and arranging time off for employees, for example, updating CVs and looking for training.

You're not legally required to consult with your employees as a **group/collectively** in small-scale redundancy situations. You could consult as a group if it will help. Remember, this has to be in addition to, not in place of, individual meaningful consultation.

Choose redundant staff carefully

When you are making an entire, specific group of staff redundant, you have already identified a clear pool for who you need to make redundant.

However, many employers wish to reduce staff/team numbers rather than remove a certain role completely. In this case, you'll need to draw-up **selection criteria** for the pool of staff to be considered for redundancy.

The pool of staff at risk of redundancy

In many cases, the pool of staff to choose may seem obvious. However, where there is a business need, you may widen the pool to include staff with a lower skill-level, even though the redundancy might not directly affect them, to ensure you retain key staff for future growth.

The selection criteria

Once you identify a pool, decide how to fairly and objectively choose between them. Draw-up a list of criteria using the [Selection criteria summary](#) section in this guide (see page 17). You don't have to use all of the criteria, nor is the list exhaustive, but make sure you use more than one and ideally three to demonstrate your selection is fair and in line with business interests. Also, remember to consult with your employees about your choice of criteria.

It may help to hold staff interviews to select the most appropriate person(s) for redundancy. Be careful here - interviews can be subjective and there is a risk your choice may be based on how you feel about a person, rather than using your selection criteria. If you do conduct interviews, you could consider running these as part of a wider more objective selection process.

If you are making more than one group of staff redundant, it may be appropriate to use different selection criteria for different groups, for example, using sales statistics as part of selection criteria would be unique for sales staff and would not apply to security staff.

Take care not to discriminate against anyone, for example, exclude any absences or attendance issues in relation to disability, pregnancy or maternity.

Remember, it is unlawful to discriminate against people at work because of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, sexual orientation, religion, political opinion and sex. To find out more visit the [Equality Commission for Northern Ireland](#).

An employer must consult with an employee on maternity leave. Also, maternity leave should never be factored into absence scores. Similarly, ensure you don't test other criteria such as productivity or sales during maternity leave periods. All employees should be scored from the same period where possible.

Give redundancy notice and pay

When you have used your selection criteria to identify which staff will be made redundant and completed the previous steps, you need to give notice that you are dismissing them - and to make sure they are paid correctly.

As there are **statutory procedures** that you must follow for dismissal situations you should follow the steps below:

Step 1 - Statement of grounds for action and invitation to meeting

- The employer must set out in writing the employee's alleged conduct or characteristics, or other circumstances, which lead him/her to contemplate dismissing or taking disciplinary action against the employee.
- The employer must send the statement or a copy of it to the employee and invite the employee to attend a meeting to discuss the matter.

Step 2 - The meeting

- The meeting must take place before action is taken, except in the case where the disciplinary action consists of suspension.
- The meeting must not take place unless:
 - the employer has informed the employee what the basis was for including in the statement, under Step 1, the ground or grounds given in it; and
 - the employee has had a reasonable opportunity to consider their response to that information.
- The employee must take all reasonable steps to attend the meeting.

After the meeting, the employer must inform the employee of his/her decision and notify him/her of the right to appeal against the decision if he/she is not satisfied with it.

Step 3 - Appeal

- If the employee wishes to appeal, he/she must inform the employer.
- If the employee informs the employer of his/her wish to appeal, the employer must invite him/her to attend a further meeting.
- The employee must take all reasonable steps to attend the meeting.
- The appeal meeting need not take place before the dismissal or disciplinary action takes effect.
- After the appeal meeting, the employer must inform the employee of his/her final decision.

At all steps above the employee has the right to be accompanied by

- a trade union official who is employed by a trade union; or
- a lay trade union official, as long as he/she has been reasonably certified in writing by his/her union as having experience of, or having received training in, acting as a worker's companion at disciplinary or grievance hearings; or
- a fellow worker (i.e. another of the employer's workers).

Issuing notice of dismissal

Notice starts on the first full day after the employee receives the notice, so be careful if you're posting out written notice or have employees on leave.

Notice periods for redundancy are usually the same as those you would give when terminating a contract of employment. At the very least, it needs to be what is in the employee's contract, or what their minimum statutory entitlement would be, whichever is longer.

The statutory minimums for periods of notice are:

- one week if the employee has been continuously employed for one month or more, but less than two years
- one week for each year of employment (up to a maximum of 12 weeks) if the employee has been continuously employed for two years or more.

Statutory notice pay protection

If you are contractually required to give notice which is at least one week longer than your employee would be statutorily entitled to, this section does not apply to you. For example if your employee has a contractual right to 3 weeks notice but has worked for you for 5 years, that would mean they would have a 5 week statutory notice entitlement

that overrides your contractual provision, and the protection mentioned below would apply.

All employees must receive at least the statutory level of notice. If your contract sets notice at the statutory level, you will be legally required to pay employees for their full weekly pay (if they have normal working hours) or an average known as a 'week's pay' (if they have irregular working hours or normal working hours where the pay varies with the work done) during their notice period.

Where your employees are working their usual hours, this would happen anyway, but if any of the employees are:

- ready and willing to work, but you don't/can't provide them with work
- incapable of work because of sickness or injury
- absent from work wholly or partly because of pregnancy, childbirth, maternity leave, paternity leave or adoption leave
- absent from work to take holidays, then you will need to make sure they still receive their normal week's pay.

This is a complex area of employment law. If you have a specific query, contact the LRA helpline on 028 9032 1442.

Arrange redundancy pay

If you have no contractually-enhanced redundancy pay arrangements, all your employees with at least two years' continuous employment get a statutory redundancy pay entitlement of:

- 0.5 week's pay for each full year they were under 22
- 1 week's pay for each full year they were 22 or older, but under 41
- 1.5 week's pay for each full year they were 41 or older.

Employees can only count a maximum of 20 years' service and the 'weekly pay' is subject to an upper limit, currently £500 per week, (with effect from 14th February 2016). This limit is normally increased annually.

If you have a contractually-enhanced redundancy pay arrangement, your employees must receive more than they would have under the statutory scheme, and your arrangements should mirror the age-based provisions of the statutory scheme.

Redundancy pay under £30,000 is not taxable and is something an employee receives in addition to any other payments such as notice and outstanding holiday pay etc. You must give your employees a written statement showing how you have calculated their

individual entitlement and should make it very clear how much they will be getting and when they can expect to receive it.

Paid time off to look for work/arrange training

Employees who are in their redundancy notice period and have at least two years' continuous employment by the time their notice ends have a right to reasonable time off during working hours to look for work or make arrangements for training.

Time off could include activities such as:

- visiting jobcentres and recruitment agencies
- attending job interviews
- getting help writing/updating CVs and/or job applications
- events linked to college, university or apprenticeship enrolment.

While it's likely that a complete refusal for any time off is going to be unlawful, you are expected to take your business needs into account. The length of the notice period, when a request for time off was made, the local employment environment, health and safety requirements and the effect the absence would have on the running of your business are just some factors to consider when you're working out what is and is not reasonable.

Regardless of the amount of time off you allow, you are only statutorily required to pay a maximum amount that is equal to two fifths of one week's pay during the **entire** notice period. Of course, you can choose to pay more if you wish, or if you have a contractual agreement.

Alternative job offers

You may find you have other work available in your business that you could offer employees selected for redundancy. There could be advantages when redeploying employees in this way, such as retaining valued staff and their skills, and improving morale.

The positions that are available have to be suitable and reasonable, factoring in:

- the hours/working pattern
- the workplace location
- pay and contractual terms
- job content and status.

A suitable role needs to be offered within the notice period i.e. before the end of employment and as early as possible. When a new role is offered, employees usually have a statutory trial period of four weeks. The trial period will usually commence as soon as the old contract expires and will end four weeks after that. This trial period is for employee and employer to assess the suitability of the role and is only extended in very specific circumstances.

- If your employee agrees to a trial and finds the job role suitable and reasonable, they simply continue in the new role and are considered to have accepted this instead of being made redundant. No redundancy pay is due.
- If your employee agrees to a trial and does not find the job to be suitable and/or reasonable, then you will usually need to treat them as having been dismissed as redundant when their original contract came to an end. This means they should get their original redundancy pay etc.
- If you think your employee has either unreasonably refused a trial, or trials the role but then rejects it for a reason unrelated to how suitable or reasonable the role is, you may consider the employee to be no longer eligible for a redundancy payment. However, this can result in a claim of unfair dismissal if handled wrongly. The [LRA Helpline](#) on 028 9032 1442 can offer more guidance on this.

Allow staff to appeal

There is a statutory obligation for you to have an appeal procedure for dismissals including redundancy dismissals, as the LRA Code of Practice on disciplinary and grievance procedures applies. See step 3 on page 11.

An appeal:

- gives you early warning that an employee is unhappy with the process or the redundancy
- allows you to deal with a complaint and resolve matters at an early stage, reducing the likelihood of an industrial tribunal claim
- would likely show a tribunal that you have followed a fair procedure.

Appeal decision

Consider the matters raised as part of the appeal process, without unreasonable delay, and, make a decision on the outcome to either refuse or uphold the appeal.

- If you decide to **refuse** the appeal, the redundancy dismissal, pay and notice you have issued continues as originally proposed.

- If you decide to **uphold** the appeal and the employee has not yet ended their redundancy notice period, the employment contract will normally continue as though the employee had not been selected for redundancy in the first place.
- If you decide to **uphold** the appeal and the employee has ended their redundancy notice period, you will need to seek to reinstate them and their continuous service will apply from when you first employed them. You may need to pay any arrears of wages between the end of the notice period and the time you reinstate them.
- It is advisable not to make a redundancy payment to your employee until the appeal stage has been completed as you may **uphold** an appeal.
- Whichever you decide, confirm your decision **in writing as soon as possible**.

Focus on the future of your business

Carrying out a redundancy process of any size is a complex process for anyone, but it's crucial to remember that, unless you're closing completely, the redundancy process is meant to be the first step in getting your business healthy and back on track.

Making the best use of your remaining staff

Following redundancies, remember that it's likely your remaining staff are just emerging from a difficult period that may have seen them lose colleagues or be at risk of redundancy themselves. They are likely to be as concerned about the future as you are. Talk to them. Seek their views and suggestions for going forward and you'll likely increase their enthusiasm and morale.

It's also likely that some of your remaining staff will have seen their workloads change. Some may have taken on some responsibilities the redundant staff originally had. Others may have less work to do. Minor adjustments to workloads are likely to be seen as reasonable day-to-day requests, but be careful not to overload staff. Major adjustments are likely to require some variation to staff employment contracts, which requires you to follow a proper process. To find out more, see the LRA Advisory Guide - [Advice on agreeing and changing contracts of employment](#).

Selection criteria summary

Absence and Attendance

- It's easier to score absences and punctuality fairly if you keep good records.
- If you are comparing staff with different lengths of service, be careful. For example, if you were to look at records from the past six months, an employee with 18 years' service who has had one absence could be selected for redundancy over a colleague with 18 months' service and no absences. Here, it might be advisable to look back over a longer period.

- Exclude anything you've authorised like holidays, parental leave and dental appointments. You'll also need to exclude disability; pregnancy-related absences and certain absences in relation to religious observances, as including them can make the selection discriminatory and unfair.

Disciplinary records

- Again, it's essential to have proper records if you score on discipline.
- Make sure that any disciplinary records used are taken from fair disciplinary procedures that meet the standards outlined in the statutory [LRA Code of Practice on disciplinary and grievance procedures](#)

Performance

- You might include performance in your criteria if you have a regular performance management system that's applied consistently to your staff.
- Consider whether you want to use positive performance measures (like meeting sales targets), negative performance measures (like valid customer complaints) or a mix of both.

Skills, experience and qualifications

- Often these are used together for fairness and to reduce the risk of age discrimination. For example, you might ensure your criteria balance the value of a longer serving employee with vast experience with a more recent employee with the latest qualification.
- Remember to only factor in skills, experience and qualifications that are relevant to the job and/or your business.

Last in first out (the most recent employee is the first to be dismissed)

- Where you are contemplating making compulsory redundancies, you should be aware that using length-of-service as a selection criterion may place younger employees at a substantial disadvantage compared to older ones, and that it may thus be unlawfully age discriminatory.
- A length-of-service selection criterion may also have a discriminatory impact on other equality grounds in workplaces where an employer has been using lawful affirmative or positive action measures to successfully increase the level of representation in the workforce of groups who have been historically underrepresented

Appendix 1 - Redundancy Payment Ready Reckoner

Statutory redundancy pay table																			
Age	Service (Years)																		
	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20
18*	1	1½																	
19	1	1½	2																
20	1	1½	2	2½	-														
21	1	1½	2	2½	3	-													
22	1	1½	2	2½	3	3½	-												
23	1½	2	2½	3	3½	4	4½	-											
24	2	2½	3	3½	4	4½	5	5½	-										
25	2	3	3½	4	4½	5	5½	6	6½	-									
26	2	3	4	4½	5	5½	6	6½	7	7½	-								
27	2	3	4	5	5½	6	6½	7	7½	8	8½	-							
28	2	3	4	5	6	6½	7	7½	8	8½	9	9½	-						
29	2	3	4	5	6	7	7½	8	8½	9	9½	10	10½	-					
30	2	3	4	5	6	7	8	8½	9	9½	10	10½	11	11½	-				
31	2	3	4	5	6	7	8	9	9½	10	10½	11	11½	12	12½	-			
32	2	3	4	5	6	7	8	9	10	10½	11	11½	12	12½	13	13½	-		
33	2	3	4	5	6	7	8	9	10	11	11½	12	12½	13	13½	14	14½	-	
34	2	3	4	5	6	7	8	9	10	11	12	12½	13	13½	14	14½	15	15½	16
35	2	3	4	5	6	7	8	9	10	11	12	13	13½	14	14½	15	15½	16	16½
36	2	3	4	5	6	7	8	9	10	11	12	13	14	14½	15	15½	16	16½	17
37	2	3	4	5	6	7	8	9	10	11	12	13	14	15	15½	16	16½	17	17½
38	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	16½	17	17½	18
39	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	17½	18	18½
40	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	18½	19
41	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	19½
42	2½	3½	4½	5½	6½	7½	8½	9½	10½	11½	12½	13½	14½	15½	16½	17½	18½	19½	20½
43	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21
44	3	4½	5½	6½	7½	8½	9½	10½	11½	12½	13½	14½	15½	16½	17½	18½	19½	20½	21½
45	3	4½	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22
46	3	4½	6	7½	8½	9½	10½	11½	12½	13½	14½	15½	16½	17½	18½	19½	20½	21½	22½
47	3	4½	6	7½	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23
48	3	4½	6	7½	9	10½	11½	12½	13½	14½	15½	16½	17½	18½	19½	20½	21½	22½	23½
49	3	4½	6	7½	9	10½	12	13	14	15	16	17	18	19	20	21	22	23	24
50	3	4½	6	7½	9	10½	12	13½	14½	15½	16½	17½	18½	19½	20½	21½	22½	23½	24½
51	3	4½	6	7½	9	10½	12	13½	15	16	17	18	19	20	21	22	23	24	25
52	3	4½	6	7½	9	10½	12	13½	15	16½	17½	18½	19½	20½	21½	22½	23½	24½	25½
53	3	4½	6	7½	9	10½	12	13½	15	16½	18	19	20	21	22	23	24	25	26
54	3	4½	6	7½	9	10½	12	13½	15	16½	18	19½	20½	21½	22½	23½	24½	25½	26½
55	3	4½	6	7½	9	10½	12	13½	15	16½	18	19½	21	22	23	24	25	26	27
56	3	4½	6	7½	9	10½	12	13½	15	16½	18	19½	21	22½	23½	24½	25½	26½	27½
57	3	4½	6	7½	9	10½	12	13½	15	16½	18	19½	21	22½	24	25	26	27	28
58	3	4½	6	7½	9	10½	12	13½	15	16½	18	19½	21	22½	24	25½	26½	27½	28½
59	3	4½	6	7½	9	10½	12	13½	15	16½	18	19½	21	22½	24	25½	27	28	29
60	3	4½	6	7½	9	10½	12	13½	15	16½	18	19½	21	22½	24	25½	27	28½	29½
61**	3	4½	6	7½	9	10½	12	13½	15	16½	18	19½	21	22½	24	25½	27	28½	30

18* - It is possible that an individual could start to build up continuous service before age 16, but this is likely to be rare, and therefore we have started from age 18.

61** - The same figures should be used when calculating the redundancy payment for a person aged 61 and above

Appendix 2 - Sample Selection Matrix

Note - This sample matrix and scoring mechanism is intended as a guide only and should be adapted to your own circumstances

[An employee who is declared redundant on the basis of selection criteria which uses a selection matrix has the right to see a breakdown of their score and should be given limited information about their position on the matrix relative to other employees in the selection pool. They should not be given the specific scores of others in the selection pool, but this information would be discoverable at an industrial tribunal in the case of a claim of unfair selection for redundancy]

	Skills/ Experience/ Qualifications	Attendance Record	Time- Keeping Record	Disciplinary Record	Performance in present job	Total
Employee Name 1						
Employee Name 2						
Employee Name 3						
Employee Name 4						
Employee Name 5						
Employee Name 6						

Selection criterion	Score	Description
Skills/Experience/ Qualifications	0	Poor skills in current role - unable to perform effectively and close supervision required
	1	Limited skills in current role and unable to operate without close supervision
	2	Competent in most aspects of current role but requires some supervision
	3	Fully skilled in current role and able to operate without supervision
Attendance record	0	Very high number of days absence
	1	High number of absences/unexplained absence/regular short periods of absence
	2	Very few absences - with substantiated reasons
	3	Minimal absence - substantiated reason always provided
Time-Keeping Record	0	Very poor timekeeping
	1	Frequent lateness
	2	Few examples of lateness and reasonable explanation provided
	3	Excellent timekeeping

Disciplinary record	0	Final written warning
	1	First written warning
	2	Verbal warning
	3	No disciplinary record
Performance	0	Unsatisfactory
	1	Performance fails to meet objectives
	2	Performance meets all of the objectives of the role
	3	Performance consistently exceeds the required standard

Appendix 3 - Letter - First redundancy consultation meeting

Date

STRICTLY PRIVATE & CONFIDENTIAL

Dear

REDUNDANCY CONSULTATION MEETING

[Insert background and reasons for why redundancies are considered necessary and why staff affected may be at risk of redundancy].

The Company are entering a period of consultation with you to look at any alternatives to making redundancies. This may include short term working, lay-offs, voluntary redundancies etc. I am sure that you will want to take time to consider these and any other options you consider may be appropriate. We will also give you the time and opportunity to consider any suitable alternative opportunities both within the Company and externally, and to enable you to consider any points you wish to raise with the Company concerning your possible risk of redundancy.

The proposed selection criteria to be used by the company with regard to employees in the affected group shall be based on an assessment of skills; experience; qualifications; attendance record; time-keeping record; disciplinary record and performance in the present job.

I propose to meet with you at XXXXX on XXXXXX when we can discuss further your views and comments in relation to the contents of this letter and, in particular, whether we can take the issue of looking for alternative employment for you in the Company any further. You have the right to be accompanied at this meeting by a work colleague or a Trade Union representative.

Please do not hesitate to call me if you have any further questions about the contents of this letter.

Yours sincerely

Appendix 4 - Letter - Second redundancy consultation meeting

Date

STRICTLY PRIVATE & CONFIDENTIAL

Dear

SECOND REDUNDANCY CONSULTATION MEETING

Further to our meeting on xx/xx/xx, when you indicated that you have had no additional questions or alternatives to propose, nor have we any alternative role for you at this time.

We now propose to make you redundant. I am therefore inviting you to attend a meeting on yy/yy/yy at _____ where we will confirm your redundancy in absence of any alternatives arising between now and then.

We will confirm when your employment will end and how much notice you will work. We will also discuss the details of any Severance Payments that you are entitled to receive.

You have the right to be accompanied at this meeting by either a work colleague or a trade union representative.

If, after the meeting on yy/yy/yy, you are not satisfied with the decision to terminate your employment by reason of redundancy, you have the right to appeal this decision.

Yours sincerely

Appendix 5 - Letter - Confirmation of Redundancy

Date

Dear

Following our meetings on xx/xx/xx and yy/yy/yy and due to the fact that we have been unable to identify a means of avoiding redundancy or to identify a suitable alternative role for you within the organisation, I regret to now inform you that your redundancy is confirmed.

Final details of the redundancy payment which will be available to you are included overleaf. This payment includes payment for ___ weeks' notice. Your last day of work will therefore be _____ .

You also have the right to appeal the decision in relation to your redundancy. The request for an appeal should be in writing and lodged with me within five working days of this decision. This appeal will be held by a senior manager (where possible) who has not been involved in the case to date.

The exercise of the right to appeal does not prevent any dismissal from being effective from its stated date. If it is subsequently decided to rescind any dismissal you would be re-instated in accordance with your terms and conditions of employment.

I would like to say that I very much regret that the current company situation has necessitated your redundancy. On behalf of the company, I would like to thank you for your loyalty and contribution to the Company in the past and to wish you the very best of luck for the future.

Yours sincerely

We confirm that your final payments are as follows:

Calculation of Severance Payments

*Redundancy payment - inclusive of any statutory redundancy entitlement @gross pay	£
_____week's pay in lieu of notice @ net pay	£
Payment for any holidays accrued but not taken.	£
Payment for pension during notice period	£

*This payment assumes that the last day of service would be _____

Appendix 6 - Letter - Result of Appeal

Date

Dear

I refer to our meeting on zz/zz/zz which was held under appeal stage of the Company's Redundancy Procedure. You were accompanied at the meeting by (name), your union representative/work colleague*.

You appealed against the decision to terminate your employment by reason of redundancy.

I am now writing to inform you of the decision taken by..... [Insert the name of the person] who conducted the appeal meeting, namely that the decision to terminate your employment *still applies. /*will be revoked.

You have now exercised your right of appeal under the organisation's Redundancy Procedure and this decision is final.

Yours sincerely

*Delete as appropriate

Appendix 7 - Letter - Offer of Alternative Role

Date

Dear

Offer of Alternative Position of Employment

We are pleased to conclude our recent discussions and formally offer you the position of JOB TITLE reporting to MANAGER NAME AND TITLE.

The offer of this position is subject to a four week trial period on both sides from the date of commencement, which will be upon written acceptance of this offer. Should either party decide within this period that you are not suitable for this position you will be entitled to a full redundancy package as stated in my letter of _____DATE

As we discussed, this role is within the _____and as such you are eligible for the terms attached and an outline of the responsibilities are attached.

All other terms and conditions remain per your contract of employment.

I hope very much that you will accept this offer. To accept this position, please sign and date one copy of this letter and return to me, retaining the other for your records.

In the meantime should you have any questions regarding this offer please contact me or MANAGER NAME _____

Yours sincerely

I accept the transfer and terms stated in this letter:

Signed: _____ **Date:** _____

Where can I get more information?

The Agency Helpline 028 9032 1442 gives free advice on employment matters

Head Office**Labour Relations Agency**

2-16 Gordon Street

Belfast, BT1 2LG

Tel: 028 9032 1442

Fax: 038 9033 0827

Email: info@lra.org.uk

Website: www.lra.org.uk

Regional Office**Labour Relations Agency**

1-3 Guildhall Street

Londonderry, BT48 6BB

Tel: 028 7126 9639

Fax: 038 7126 7729

Email: info@lra.org.uk

Website: www.lra.org.uk