



**WILLIAMSBURGH**  
HOUSING ASSOCIATION LTD

## **Redundancy Policy**

### **Revision History**

<b>Creation Date</b>	<b>Reviewer(s)</b>	<b>Review Date</b>
August 2023	Corporate Services	August 2026

## General

Williamsburgh Housing Association (WHA) will reduce the need for redundancies as much as possible by forward planning and good management of staffing budgets. To avoid redundancies we will:

- Not fill vacancies,
- Make best use of temporary transfers or secondments to other organisations,
- Reduce the use of overtime working,
- Reduce similar work carried out by outside consultants or agencies,
- Retrain staff,
- Introduce work sharing and
- Offer voluntary redundancy.

Whether we can do this will depend on the resources we have available.

Redundancy implies a reduction in the requirement for employees to carry out work of a particular kind in the place they were employed.

If redundancy is unavoidable, we will inform Unite the Union at the earliest opportunity.

## Consultation

The consultation process should start before any public announcement of the redundancy(ies) and the issue of notices of termination. We will ask for and listen to the staff and union's views before making any decisions. The minimum time periods required for consultation are specified by law if more than 20 employees are to be made redundant. These are 30 days for 20 or more employees and 45 days for 100 or more employees.

WHA will observe the 30-day consultation period in cases where even one redundancy is contemplated i.e. consultation will begin at least 30 days before the first dismissal takes effect. For the purposes of consultation, we will give Unite written notice of:

- the reasons why any posts have become redundant,
- the numbers, descriptions and locations of the affected posts,
- the total number of employees affected,
- the proposed method of choosing the employees who may be dismissed,
- the proposed method of carrying out the dismissals, including the period over which they are to take effect,
- the proposed method of calculating the severance pay (if different to the contractual arrangement).

We will provide any other information which would be of use to the union in the consultation process (such as staff levels and structure), when they ask for it and in line with good industrial relations practice.

We will also consult individual employees who are expected to be affected by redundancies. They will also be allowed to make their comments.

The individual periods of notice due to employees will only start after the consultation period has been completed. However, we may make a payment in lieu of notice.

## Selection for Redundancy

The first method of selection will be to ask for volunteers for Redundancy. Where the volunteers are from an area of surplus capacity, we will consider this.

The second method will be to use fair and factual criteria which will be set in consultation with the union. The main consideration here will be to keep a balanced workforce.

If the above cannot provide the number of candidates needed for redundancy, we will use conditions related to performance, attendance and conduct and the 'last-in—first-out' method.

If you want to appeal against redundancy, your rights will be explained at the formal meeting when redundancy notice is given, and again in the letter confirming the decision. (The annex below outlines the general procedure)

## Alternative Work & Trial Periods

We may offer you a suitable alternative employment (if available) to avoid the need for redundancy. We will do this before the end of your original contract and it will apply within 4 weeks of the end of that contract. We will give you enough information to decide whether or not to accept the offer and illustrate the differences between the new position and your original one.

If we offer you employment which involves a different type of work or different terms of employment, you will be entitled to a four week trial period. If this involves training, we can extend this period by written agreement. The agreement will give the date on which the trial period will end and the terms and conditions that will apply after this. If during the trial period either we or you give notice to terminate the contract, we will treat you as having been made redundant. Notice should be given to end the trial period as follows:

- (1) You must give four weeks' notice or the rest of the trial period (whichever is the shorter)
- (2) We must give four weeks' notice or the period of any outstanding contractual notice (whichever is the longer).

If you refuse an offer of suitable alternative employment, or resign during the trial period, you will lose your right to a redundancy payment unless we consider your refusal or resignation as reasonable, for example, involving significant changes in travelling time, skills needed, or status.

If you accept re-deployment at a lower grade we will retain your current salary (plus any agreed cost of living increases) for a period of 3 years.

## Help for Employees

If you are under a notice of redundancy, we will give you the following help to get training or future employment:

- Reasonable paid time off during working hours to go to interviews or to make arrangements for future training or employment.
- Access to IT resources to help you prepare a CV, application forms and so on.
- Written notice to other local employers giving details of redundant employee's skills.
- If you ask, we will give you information on the EVH temporary register and details of how to register for the EVH weekly jobs bulletin.

## Redundancy Payments

All redundant staff, with at least two years' service, will receive Redundancy Pay. Payments are based on your length of service (in complete years up to 20 years), and age as at the date your employment ends. The following table shows the calculation:

<b>Age (years)</b>	<b>No. of weeks' pay per complete year of service (up to 20)</b>
Up to 21	1 week
22-40	1.5 weeks
41 and over	2 weeks

A week's pay for this calculation refers to basic contractual pay.

We will give redundancy pay as well as any payments which may be made to end your contract in-lieu-of notice. You are entitled to a notice period (as per the conditions of service). If we agree that you do not have to work this notice, we may make a payment-in-lieu of notice for all or part of the period.

If you leave voluntarily during your contractual notice period, you will not lose your right to redundancy pay as long as you leave with our permission. By prior agreement, we will allow you to take up alternative employment or training during that time.



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## **ANNEX TO REDUNDANCY AGREEMENT**

If you do not believe you should have been selected for redundancy, you can appeal.

Appeals will be heard by a Sub-Committee of the Management Committee, which will not take part in the selection of those to be made redundant.

### **Procedures for Hearing Appeals**

1. We will tell you about your right to appeal at the formal meeting when your redundancy notice is given and, in the letter, confirming the decision.
2. You must send your appeal in writing to the secretary of the management committee within five working days of your letter of redundancy.
3. The letter of appeal must clearly state why you wish to appeal against your selection for redundancy.
4. Appeal hearings will be heard without delay, and no later than five working days after receiving your appeal. We will give you two working days' notice of the time and place, and reasonable time off to meet with your Trade Union representative.
5. At the appeal hearing, you have the right to be accompanied by either a Union representative, or a workplace colleague.
6. The Appeal Committee will consider the issue in private, and a decision will be made as soon as possible, and no later than two working days after the hearing. If your appeal is unsuccessful, we will give you and your representative documented reasons for your selection to prove that we followed the agreed criteria.
7. You can make a final appeal to the Independent Chair within three working days of receiving the result of the internal appeal. The Chair will make a decision as soon as possible and no later than two working days after the hearing. This decision will be final.