
Security Of Employment Policy



Policy Title:	Security Of Employment
Policy Number:	B115
Version Number:	1
Ratified By:	B3, Board Of Trustees
Date Of Issue:	May 2016
Date Of Review:	June 2017
Cross References:	
Additions/Amendments:	

Security Of Employment Policy	1
1. Introduction	2
2. Policy Statement	2
3. Planning A Reorganisation	3
4. Employee Consultation	3
5. Consulting Employee Representatives	4
6. Consultation In General	5
7. Right Of Appeal	5

Security Of Employment Policy

1. Introduction

- 1.1. Organisations have to be dynamic to respond to change quickly. B3 constantly faces pressures, both externally and internally, which necessitate changes to its structures, shape or the number or skill mix of its employees. These pressures for change come from a number of sources including:
 - 1.1.1. Changes in funding, both increases and decreases
 - 1.1.2. Changes in services demanded
 - 1.1.3. Changes in working practices
- 1.2. These processes of change will often have implications for the employees both directly and indirectly involved in the service/project concerned. B3 is committed to dealing with and managing change in an open and positive way, consulting with those affected and their representatives, both trade union and Employee Forum, in a fair and proper way and, so far as possible, protecting the interests of its employees.
- 1.3. In establishing this policy B3's objectives are:
 - 1.3.1. To demonstrate to employees that B3 has a policy to deal with the management of change with employment implications which it will implement fairly and consistently.
 - 1.3.2. To meet its statutory obligations as determined security for b3 employees who are displaced from their jobs as a result of any change within the organisation.
 - 1.3.3. Maximising redeployment opportunities for employees who are displaced from their jobs as a result of change within the organisation.

2. Policy Statement

- 2.1. B3 will try to ensure as far as possible security of employment for its employees. However, it is recognised that changes in the demand for services, the transfer and levels of funding and/or the need for change because of technological organisational or professional developments may lead to a requirement to restructure the way in which services are provided. This may lead to changes to the employment opportunities and to employee's terms and conditions that could result in redundancy.
- 2.2. When B3 is unsuccessful in re-tendering a service, where appropriate, it will argue that the transfer of Undertakings (Protection of Employment) Regulations applies to protect the employment rights of its affected employees. If a TUPE situation does not apply then B3 will look to redeploy staff into other B3 positions, where possible.
- 2.3. Where B3 restructures a project or department resulting in job changes, it will always seek to secure alternative employment for those affected.

-
- 2.4. Where redundancy is necessary, following all reasonable efforts to avoid it, B3 will handle the redundancy in a fair, sympathetic and non-disciplinary manner.
 - 2.5. Where employees' on-going employment is at risk, B3 will consider:-
 - 2.5.1. Stopping the use of agency temps/sessional staff if this will create redeployment opportunities.
 - 2.5.2. Supporting employees to relocate by providing financial support up to the level of any redundancy payment they may have been entitled.
 - 2.5.3. Assessing the effect of normal employee turnover to make use of natural wastage.
 - 2.5.4. freezing or restricting recruitment
 - 2.5.5. Seeking volunteers for voluntary severance.
 - 2.5.6. Eliminating as far as practicable overtime working
 - 2.5.7. Investigating the use of alternative working arrangement, such as part-time working, reduced hours and job share.

3. Planning A Reorganisation

- 3.1. When planning a reorganisation a manager should aim to keep things as simple as possible and they should not expect to get everything done overnight. The four points below should help managers.
 - 3.1.1. Draw up an outline of the reorganisation, including the reasons for the change, how many posts the new structure will need and at what level, and what improvement to the service the reorganisation will bring.
 - 3.1.2. Consider delivering the new service with current job descriptions, or whether some slight change is needed. if the service changes are more fundamental consider whether new posts with new job descriptions are needed.
 - 3.1.3. Draw up a rough timetable for consulting the employees and their representatives, the Employee Forum and where appropriate trade unions.
 - 3.1.4. If not directly managing the reorganisation decide who is and ensure they know they have to do and are trained in selection methods.

4. Employee Consultation

- 4.1. A manager should start consulting employees early at the earliest practicable opportunity. If a manager is open with his/her employees about any reorganisation it is possible to avoid uncertainty or anxiety. Remember consultation is a two-way process, so keep employees informed and listen to what they have to say about the reorganisation. Always keep a written record of your consultation.

-
- 4.2. A manager should always consult employees on any changes to their job descriptions, and any assimilation and redeployment arrangements. Organisation charts should be used if they help to put the message over and clear up misunderstandings. Allow employees up to five working days to make any comments on the proposals. If the reorganisation is more complicated, then it is reasonable to give employees more time. Always confirm to employees in writing about any assimilation or ring fencing arrangement that affect them.
 - 4.3. A manager can consult his/her employees in a number of ways, including staff meetings, newsletters and notice boards. A combination of methods works best. B3 has an Employee Forum and the local representative should be consulted. If necessary a report should go to the Forum. A special meeting of the Employee Forum can be arranged in cases of major restructuring/reorganisation.
 - 4.4. Some employees cope better than others during reorganisations. A manager should offer to meet employees who are uncertain about the reorganisation. The Employee Assistance Programme is available 24/7 to provide both information and counselling support, if required.
 - 4.5. A manager must not circulate proposals in which it is obvious that one person's post is being affect without first speaking to that employee.
 - 4.6. A manager must make sure that his/her employees know why the reorganisation is happening. This will stop inaccurate information and gossip spreading.
 - 4.7. A manager needs to keep employees who are on any kind of extended leave (including, maternity leave, secondment, filling posts temporarily elsewhere, long term sickness) informed about the reorganisation. Writing, telephoning or meeting the employee or a combination of all three, can do this. They should be kept informed at each step of the way and allowed enough time for them to respond.

5. Consulting Employee Representatives

- 5.1. A manager must consult Employee Forum representatives and where appropriate info trade unions representatives about the same matters that they have consulted employees in the project.
 - 5.1.1. The reasons for the organisational change.
 - 5.1.2. The number of employees who may be dismissed and the type of work they carry out, together with the total number of employees who are carrying out that type of work.
 - 5.1.3. The way it is planned to choose the employees who may be dismissed (in other words, the selection criteria).
 - 5.1.4. The way it is planned to dismiss the employees chosen and the time period involved.
 - 5.1.5. The fact that B3 uses the statutory redundancy payments formula.
- 5.2. B3 will formally consult regardless of the number of employees affected.

-
- 5.3. B3 does not have a recognition agreement with a trade union but where employees are members of a union, the union representative can attend meetings with the employee and should be kept informed through the process.

6. Consultation In General

- 6.1. A manager should always aim to reach agreement when consulting. They should listen to what the employees, the local Employee Forum representative and/or the trade union representative have to say, carefully consider any suggestions they make on ways of avoiding or reducing the number of employees being dismissed. A manager should respond in writing, even to verbal suggestions, setting out the reason for accepting or rejecting any suggestions. However, the manager should remember that this process is not a negotiation and that the manager does not have to reach agreement. If the manager cannot agree with the Employee Forum representative and/or trade unions' proposals, the manager should tell them why, preferably in writing. At the end of the day, it is up to the manager to decide how the new service will be delivered and the number of employees needed to do it.

7. Right Of Appeal

- 7.1. Where an employee is made redundant and the organisation has been unable to redeploy them they have the right to appeal against this decision. The appeal, at which the employee has the right to be accompanied, by a work colleague, an Employee Forum representative or a trade union representative, will be heard by the Board of Trustees representative.