

**Impact and Needs/Requirements Assessment (INRA)**  
**Initial Screening**

Initial screening needs to take place for all new policies, strategies, procedures and functions. This stage must be completed at the earliest opportunity to determine whether it is necessary to undertake an INRA for this activity.

<b>Name of Policy, Strategy or Function:</b>	Redundancy Policy and Procedure
<b>Lead Officer (responsible for assessment):</b>	Nicole Pema, Principal HR Officer
<b>Department:</b>	HR
<b>Others Involved in the Assessment (i.e. peer review, external challenge):</b>	Kathy Batey, Head of HR & Facilities Management
<b>Date Initial Screening Completed:</b>	27 <sup>th</sup> October 2010

**(a) What is the policy, strategy or function trying to achieve? i.e. what are its aims and objectives? Is it affected by external drivers for change?**

It is the aim of East Cambridgeshire District Council to maintain long-term secure employment for its employees. However, the Council recognises that there may be changes in organisational requirements which may affect staffing needs and therefore will endeavour to ensure that any reduction in staffing numbers is unavoidable.

The aim of the Council's Redundancy Policy and Procedure is to provide a fair, consistent, and legal process through which to deal with redundancy whether voluntary or compulsory, responding to appeals against dismissal, dealing with redundancy payments and seeking suitable alternative work.

The aim of the Policy is to manage redundancy situations effectively and in line with statutory legislation.

Redundancy selection criteria and their application will be objective, fair, reasonable, evidenced and non-discriminatory. The focus will be to ensure that the balance of skills and experience ensures the remaining workforce is viable and appropriate to the Council's future operating and service needs.

The documents include clear procedures and processes for maintaining the legal standards required and those by the council to ensure that a consistent and effective approach is applied when dealing with redundancy situations.

**(b) Who are its main beneficiaries? i.e. who will be affected by the policy, service or function?**

This policy applies to all employees of East Cambridgeshire District Council.

**(c) Does this activity have the potential to cause an impact (positive, negative or neutral) on different groups in the community, on the grounds of (please tick all that apply):**

<b>Ethnicity</b>	<input type="checkbox"/>	<b>Age</b>	<input checked="" type="checkbox"/>
<b>Gender</b>	<input checked="" type="checkbox"/>	<b>Religion and Belief</b>	<input type="checkbox"/>
<b>Disability</b>	<input checked="" type="checkbox"/>	<b>Sexuality</b>	<input type="checkbox"/>

**Please explain any impact identified:** i.e. What do you already know about equality impact or need? Is there any evidence that there is a higher or lower take-up by particular groups? Have there been any demographic changes or trends locally? Are there any barriers to accessing the policy or service?

Redundancy is one of five potentially fair reasons for dismissal. A redundancy is a dismissal in law, whether the result of voluntary or compulsory selection and has to meet the legal definition of redundancy under the Employment Rights Act 1996.

This policy enables a fair dismissal to take place by ensuring that it incorporates both legal obligations and best practice to promote good employee relations. This policy gives a clear structure for dealing with redundancy situations and provides a fair and objective approach when selecting members of the workforce for redundancy, the practicability of offering redundant employees alternative work, counselling or other assistance.

The purpose of having objective criteria is to ensure that employees are not unfairly selected for redundancy. One of the Council's compulsory redundancy selection criteria is 'attendance' which could be considered to be disadvantageous for people with a disability who may have more periods of time off work, however, the Council only takes into account uncertified or unauthorised absence, and therefore this should not have a negative impact on disabled members of staff who have a recognised medical condition and who would be covered by a sickness certificate. If there is any doubt about the reliability of factual information, the Council can agree to disregard a particular criteria for a particular selection process.

Where an employee on maternity leave has been selected for redundancy, she must be notified at the same time as other employees receiving notice. In such circumstances, the Maternity Provisions would take precedence and the female member of staff would not be made redundant until she returned from maternity leave, and only then if no suitable alternative job could be found. Members of staff on maternity leave must be offered the first choice of any suitable alternative vacancy. This could be considered disadvantageous for men, however, it is a legal right under equalities legislation.

Employees with less than 2 years Local Government service are not eligible for a redundancy payment, this may be considered disadvantageous for younger employees. This timeframe reflects the statutory requirement to receive a compensatory payment.

Employees aged 55+ are eligible for immediate pension benefits if made redundant. This could be considered disadvantageous for people below 55 as they would not have access to their pension benefit. This is a condition of Cambridgeshire's Local Government Pension Scheme and as such can not be altered. Conversely employees may feel that their age is a key determinant when undertaking a restructuring exercise due to the associated pension related costs in releasing them. Costs should be only one of several factors when considering requests for voluntary redundancy/flexible retirement and managers need to ensure a robust selection process is in place.

As the Council advocates redeployment as a means of reducing the number of redundancies, employees that are in a redundancy situation are given redeployment status and suitable alternative work at the earliest opportunity. Unfortunately this inhibits external recruitment. This therefore may prevent the Council from meeting targets previously set in recruiting a representative workforce. However, the Council has a statutory obligation to assist employees secure redeployment, so it is necessary for the Council to provide a framework and processes to assist in the redeployment of employees.

Due to the size of the organisation, opportunities for redeployment can be limited.

Staff within the top range of the Council's pay structure (Scale 7 and above) that are made redundant are less likely to find suitable alternative work within the organisation. This is due to the top levels being very specialised posts that require professional qualifications and high level demonstrable experience (so less transferable skills).

The policy includes an appeals procedure to deal complaints from employees who feel that selection criteria has been unfairly applied in their case.

The policy is available on the Council intranet for staff and managers to view and managers are asked to distribute paper copies of the procedure for those staff who do not have regular access to the intranet.

Members of staff who are disabled and/or born outside of the UK, may require a copy of the Policy in an alternative format, however this service can be provided on request.

**(d) If you have identified an adverse impact, does it have the potential to disadvantage or discriminate unfairly against any of the groups in a way that is unlawful?** This is more likely to occur in services that are customer facing, particularly where judgements need to be made by Council staff about access or entitlement to services or opportunities.

**NO**

**(e) What information or background data is currently available to assist with making the judgements above? Is the INRA informed by any data (quantitative or qualitative)?** i.e. consultations, complaints, applications received, allocations/take-up, satisfaction rates, performance indicators, access audits, census data, benchmarking, workforce profile etc.

- Research was undertaken by reviewing similar policies and procedures from other Local Authorities and guidance from the CIPD and ACAS.
- Guidance issued by the Cambridgeshire County Council Pension Fund in relation to redundancy and retirement.
- Equal opportunities monitoring data for all staff at risk of redundancy.
- Quantitative data – redundancy and retirement estimates for individual members of staff at risk of redundancy.
- Single Equality Scheme 2010-12.
- Consultation with Unison.
- HR records on staffing levels (Establishment List).
- Workforce Development Plan.

If the answer to question (d) is **YES**, then it is necessary to proceed with a full equality impact assessment. If the answer is **NO**, then this judgement and your response to the above questions will need to be countersigned by your Head of Service/Executive Director, and then referred to the Council's Equal Opportunities Working Group (EOWG) for scrutiny and verification. Please forward completed and signed forms to Nicole Pema, Principal HR Officer.

**Signatures:**

**Completing Officer:** Nicole Pema **Date:** 27/10/10

**Head of Service:** Kathy Batey **Date:** 21/03/11