

**The Ten Essential
Steps To Handling
Redundancy
Selection
Correctly...**

***And Avoiding Costly And
Lengthy Legal Claims***

A FREE REPORT FROM



The Ten Steps To Handling Redundancy Correctly...And Avoiding Costly And Lengthy Legal Claims

If You Are Facing The Possibility Of Making Some Staff Redundant This Year Then You Must Read This Report BEFORE You Do Anything

“Employment Law is a minefield”.

That’s what one of my clients said to me recently, but it really doesn’t have to be that way.

Having a clear plan and a common sense approach is the first step to making sure you get it right, and are able to navigate the minefield. That is what this report will give you.

The second step is to take action and ensure you have all the relevant policies and procedures in place to start.

To help you achieve this I can provide you with a free 30 minute consultation, but more about that later

Natural if you have any questions just contact me either by phone, email or letter and I’ll be glad to help

Best Regards

David Readman

Director

Employment Practice And Law

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0560 115 5920

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In most cases when employers lose cases at employment tribunal it is because they did not follow correct procedures and did not seek advice. The pointers which follow are intended to help you with a simple understanding of the stages to follow in a small redundancy exercise in which fewer than 20 employees are likely to be affected.

1. Consultation

As the name suggests, this is the process you should go through with your employees before you announce any decisions. Remember that at this initial stage you should be discussing proposals. This is important because if you talk about decisions now, the message you give is that consultation will not change anything.

The intention behind consultation is that it should give an opportunity for employees to put forward their ideas which might avoid compulsory redundancies. Such ideas can include reduced hours of work, pay freeze or cut, redeployment, voluntary redundancy and early retirement.

2. The Reason

Redundancy is one of the potentially fair reasons for dismissal, but often employers will try to use a redundancy exercise as the opportunity to dismiss people who should have been dealt with for poor performance or conduct. If an employment tribunal feels that you used redundancy as a pretext to dispense with someone whose job had not gone, you will lose an unfair dismissal claim.

Be prepared to demonstrate to your employees and to a tribunal that there really was a genuine need to make people redundant. This may be through sales figures, accounts etc. Do not assume that the exercise will be assumed to be genuine.

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3. Selection Criteria

This is possibly the main area in which “human error” comes into play. The general rule is that the more complicated you make it, the greater the scope for mistakes. Try to stick to objective factors in deciding who to select. For a sales person, their achievement of agreed sales targets (or not) is likely to be valid. Attendance record is also objective, though you should be cautious of selecting on this basis anyone whose attendance is adversely affected by a disability (or maternity absence – which is not a disability of course!). If you do not know who has a condition deemed to be a disability and who does not, it is better to ask than find out from an unfair dismissal claim form.

4. Avoid Discriminatory Criteria

Criteria should be objective and justifiable. If you specify that part time workers are to go, you are likely to be discriminating against mothers who have child care responsibilities

5. Have a (Flexible) Timetable

You cannot know in advance how many consultation meetings will be needed with any individual or group. Often it may be that a single meeting is all that is required. However, if someone does come up with alternative suggestions and you do not consider them seriously, it will be said that the process was a sham.

6. Consider all ideas carefully

You may have someone volunteer to leave from an area not affected by the proposed cuts. If they do, you should think very carefully whether it would be practicable to let them go. If it is not, perhaps because they have a vital skill, explain this – **and put it in writing.**

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7. Create a “Paper Trail”

It is great if you do all the right things in the right order, but do not simply rely on memories to support you in the event of a tribunal claim. When you have consultation meetings, take a record and when alternative proposals are put to you, explain in writing why they are or are not acceptable.

8. Follow Procedures (carefully)

For example when inviting employees to a consultation meeting (which could result in the loss of their employment) do so in writing, explaining the background and your proposals. And do not forget the right to be accompanied by a work colleague or trade union representative (*though not a friend who turns out to be a solicitor.*).

9. Right of Appeal

A dismissal by reason of redundancy is still a dismissal and you must not forget to give the right of appeal. Except in very small businesses, the appeal should always be heard by someone not previously involved

10. Effective Date of Termination

If you are paying someone in lieu of notice, do not forget to specify that the EDT (Effective Date of Termination) is the date they stop working for you. Tribunal claims have to be submitted within three months of the EDT in most cases so it is very much in your interests to make the termination date absolutely clear.

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What To Do Next

**FREE 30 MINUTE REDUNDANCY CHECK
CONSULTATION**

**David, you need to give a few bullet points about
what the consultation covers here**

**Also mention a limited availability due to time
constraints**

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David this is where the "about us" page goes. I've pasted in one from a report I did for another client so you can see the kind of thing needed

About Alan Wynne

"What 'An Independent Mortgage Broker' REALLY Means For You..."

Let's face it....

The financial market is a minefield. I should know, I've been helping my clients navigate it since 1974

As you can imagine in those 35 years I've helped hundreds of small business owners, just like yourself, get the deals that really help their business.

I can do this because I've built up very strong relationship with all of the major financial institutions so I can often find out about unadvertised or limited deals you wouldn't be able to find in a month of Sundays.

Deals that help you get just what you want to help finance your business.

And, because I am truly independent, I get the reps from all these institutions beating a path to my door to promote their services, which means I often get wind of special promotions, even before they are released to the public.

What all this means is that I can negotiate special solutions that match my business clients specific financial needs

Every Business Is Different, So Needs Different Financial Solutions, My Relationships With All These Institutions Means You Always Get The Most Suitable Solution For You

Maybe this is why I get most of my business through referrals.

This means I invest most of my energy delivering a first class service to my clients. As a result my clients refer their friends, family and colleagues to me for advice on financial matters. I am interested in building strong life long relationships with all my clients.

And one last positive note for you...

In 2008 Millfield Consulting, part of Bates Investment Services one of the largest independent financial advisors in the UK asked me to open their North West operation so you've now got more knowledge and backing to get you what you want.

So save yourself the hassle and time of trawling thorough all the websites, brochures and flyers trying to find the best way to handle your business finances. Just give me a call on 0800 328 2080 and I'll do the legwork for you...and probably come up with a solution you hadn't thought of.

Alan

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