



Northern Ireland Ambulance Service  
Health and Social Care Trust

# Redeployment & Redundancy Policy



NORTHERN IRELAND AMBULANCE SERVICE  
HEALTH AND SOCIAL CARE TRUST

REDEPLOYMENT  
AND  
REDUNDANCY  
POLICY

## **1. INTRODUCTION**

It is the aim of the Trust, as far as possible, to ensure that security of employment exists for Trust employees. It is recognised that there may be changes in the provision of Health and Social Care, service developments or organisational needs which may impact on the numbers and grades of staff employed.

The Trust is committed to maintaining and enhancing the efficiency and effectiveness of the service it provides. If it becomes necessary to make staff reductions or redeployments in any part of its service, the following policy will provide a framework for consultation between the Trust and Trade Unions. Every possible effort will be made to avoid compulsory redundancy.

## **2. CONSULTATION WITH TRADE UNIONS**

**2.1** The Trust has a responsibility for the welfare of its employees and a duty to act reasonably towards them in a situation where reductions in staff numbers are required. Therefore, the Trust will explore all options open to it for dealing with surplus staff.

**2.2** The Trust has a duty to consult with trade unions and staff in the event of a reduction in staff numbers being identified. Such consultations should take place at the earliest opportunity. However the Trust will make every reasonable effort to provide for consultation beyond the statutory minimum.

Statutory obligations in relation to consultation are attached at Appendix A.

The Trust also has a responsibility to advise DETI of any situation where job losses are a possibility. This will be done at the appropriate time in the process and in accordance with statutory obligations.

**2.3** Consultations will be designed to avoid redundancies wherever possible, to reduce the number of employees to be dismissed, to mitigate the consequences of the dismissals and shall be undertaken with a view to reaching agreement. For the purposes of effective consultation, the Trust will provide the following information to trade unions:

- the reasons for the proposals
- the numbers, descriptions and locations of employees whom it is proposed to dismiss as redundant

- the total number of employees of any such description at the establishment in question
- the proposed method of selection
- the period over which the redundancies are to take effect
- the proposed method of calculating any redundancy payments

### **3. ALTERNATIVES TO REDUNDANCY**

**3.1** When it is clear that a reduction in staff is necessary, the following measures will be considered before redundancy is introduced:

The following list is not exhaustive, is not in any order of priority and is subject to the exigencies of the service.

- Application of vacancy controls to include early restriction on recruitment and promotion of permanent staff.
- Application of early retirement schemes
- Reduction in overtime
- Redeployment and/ or training
- Reducing the hours of individual staff on a voluntary basis e.g. job share
- Ending use of casual/agency employees or bank staff

### **4. REDEPLOYMENT**

**4.1** Where the Trust has a suitable alternative employment available, this should be offered to employees at risk of redundancy.

Suitable alternative employment is defined in Section 16 of the Agenda for Change Terms & Conditions Handbook and covers posts with the same or another NHS employer.

Where redeployment is being considered, the following principals will apply

- Every effort will be made to redeploy staff to a post of equal band to their substantive band, however, where this is not possible, redeployment to a lower level will be considered with protection as appropriate.
- Consideration will be given to the post and individual requirements in terms of skills, experience, qualifications and the need for retraining.
- Where applicable, staff will receive excess travel where there has been a change in location in accordance with AFC terms and conditions.

- Staff are entitled to a statutory trial period of 4 weeks to confirm that the work is suitable, in circumstances where they have been redeployed. This trial period will be extended on a short-term basis by mutual agreement if deemed necessary up to a maximum of 3 months.
- If the employee is unable for some reason to continue in the redeployed post, one further redeployment option will be considered.
- An employee who refuses an offer of reasonable suitable alternative employment will lose entitlement to redundancy pay and any related payments e.g. superannuation enhancements.

**4.2** In some circumstances, when other options have been exhausted, there will be a greater number of staff requiring redeployment than there are posts available. It will be necessary, in these cases, to undertake a restricted competitive process. Interviews will be conducted in accordance with the principles of the Trust's Recruitment and Selection Procedure which complies with Equality legislation.

## **5. VOLUNTARY REDUNDANCY/ VOLUNTARY PREMATURE RETIREMENT**

**5.1** Where the Trust is in a situation where a reduction in posts is required, it may consider implementing a scheme whereby staff can express interest in voluntary redundancy/ voluntary premature retirement. This will normally occur when the other methods identified in section 3 have been exhausted.

The Trust will consider all requests for voluntary redundancy/ voluntary premature retirement in line with the following principals/criteria;

- That it will contribute to the avoidance of compulsory redundancy.
- That the release of staff would not lead to a shortage of skills in a particular area or there would be an adverse impact on service delivery.
- The financial implications to the Trust of releasing the staff.
- Any pay back period is not exceeded in the case of voluntary premature retirement.

**5.2** Payments in relation to redundancy pay and enhanced pension entitlement will be made in accordance with Section 16 of the Agenda for Change: NHS Terms & Conditions Handbook and Circular HSS (S) 11/83 and Supplement 1 for Social Work staff.

## **6. COMPULSORY REDUNDANCIES**

- 6.1** Where the Trust finds that previous actions defined earlier in this procedure have not reduced the workforce to the required level, management should continue consultation with recognised Trade Unions.
- 6.2** Management will identify the facilities/departments and posts for compulsory redundancy.
- 6.3** If staff are in posts which are identified for redundancy, the redundancy will be processed, with the staff being afforded all rights in terms of consultation, payment and periods of notice.
- 6.4** In situations where there are more staff in the same post than are required to be made redundant, locally determined processes ( to clarify) for selection will apply, following full consultation with Staff Side.
- 6.5** If the Trust is taking affirmative action under the Fair Employment and Treatment (NI) Order 1998, it will seek advice from the Equality Commission.
- 6.6** In compulsory redundancy situations, the Trust will follow the requirements of the Statutory Dismissal Procedure.

## **7. PERIODS OF NOTICE**

**7.1** The Trust is required to give an employee:

- At least one week's notice if the employee has been employed for 1 month or more.
- At least 2 weeks notice if the employee has been employed continually for 2 years or more.
- One additional week's notice for each further complete year of continuous employment up to 12 weeks notice if the employee has been employed continuously for 12 years or more.

If an individual employee's contract of employment expresses a longer period of notice than above, this should be applied.

**7.2.** For the purpose of calculating notice entitlement, the period of continuous employment shall be calculated in accordance with Employment Rights (NI) Order 1996 or the Agenda for Change: NHS Terms & Conditions Handbook, whichever is more beneficial.

**7.3.** Where staff are declared compulsory redundant, they may be either required to work the period of notice or be given payment in lieu of notice.

**7.4.** Where staff volunteer for redundancy the Trust and employee will reach an agreed date for termination.

## **8. APPEAL**

**8.1** Where an employee is given formal notice of dismissal because of compulsory redundancy, he/she may appeal this decision by writing to the Director of Human Resources within 7 working days of receipt of the letter of dismissal, stating the grounds for the appeal.

**8.2** An appeal hearing will be arranged and the employee may be accompanied at the hearing by an accredited recognised Trade Union Representative. The appeal will be considered by 2 senior officers who have not been involved in the original decision.

## **9. TIME OFF AND SUPPORT SERVICES**

**9.1** An employee who is leaving on grounds of redundancy is entitled to reasonable time off with pay during working hours to look for another job or make arrangements for training for future employment. Application must be made to the line manager.

**9.2** The Trust will discuss with the potentially redundant employee, the possibility of providing interviewee skills, training and counselling.

## **10. REVIEW OF THE POLICY**

This policy will be reviewed periodically in consultation and negotiation with Regional trade union representatives.

**Signed on behalf of Staff Side  
Management**

**Signed on behalf of**

**Date**

**Date**

## **Appendix A**

The statutory requirement is for consultation to begin in good time and;

- a) At least 30 days before notice of dismissal is given, if 20 or more employees are to be made redundant.
- Or
- b) At least 90 days before notice of dismissal is given, if 100 or more employees are to be made redundant.
- c) In the event of a redundancy situation affecting less than 10 staff, the Trust will consult with the individual(s) and with a representative(s) from the



trade union/ professional organisation in the interest of good industrial relations.