

**Argyll and Bute Council**

**Selection Criteria for Redundancy**



## **SELECTION CRITERIA**

### **1. Introduction**

It is essential that during a redundancy process that the Council ensures that fair and transparent criteria for selection for redundancy are identified and applied consistently. This will help managers when explaining to employees the reason for their selection and will help employees to understand the process.

As a preliminary stage to selection, volunteers for redundancy will be invited to express an interest and be considered by management. However, the Council is under no obligation to accept these volunteers. Care must be exercised when selecting from a list of volunteers to ensure that a balanced workforce remains in order to meet the future demands of the service.

### **2. Redundancy Pool**

The Executive Director and/or Head of Service will begin by identifying a group of employees from which redundancies can be made, as identified by the Service Review or other process. It is to this 'selection pool' that the Executive Director or nominated officer (3<sup>rd</sup> tier manager and above) will apply the appropriate selection criteria to determine posts that can be made redundant. This analysis should focus on the following areas of the workplace:-

- Individual post(s)
- Specific category of post(s) Post(s) tied to a function which it is intended will cease or diminish

The Executive Director must ensure that the pool for redundancy can be justified showing that it has been based on rational considerations such a Service Review process.

To ensure that the Council has acted reasonably in determining the selection pool the following factors should be considered:

- Whether other groups of employees are doing similar work to those selected.
- Whether employees' jobs are interchangeable.
- Whether the employee's inclusion in the pool is consistent with his/her previous position.

Where voluntary redundancy, or early retirement, does not produce suitable and sufficient numbers of volunteers or where there is a surplus of volunteers then management in consultation with the relevant trade unions will identify the selection criteria to be used and the weighting, if any, to be applied. All criteria should be objective and the overall test will be one of reasonableness and justifiability.

**The Head of Improvement and HR must be informed of all potential redundancy situations to ensure that statutory consultation and notification requirements are met.**

### **3. Selection Criteria**

#### **3.1. Process**

The Council does not believe it is possible or appropriate to stipulate specific criteria to be used in all redundancy situations. The criteria used will be based on the future workforce needs of the service as identified through Service Reviews and other processes. The aim of the redundancy exercise will be to ensure the Council retains a sufficiently skilled and knowledgeable workforce to deliver the future service requirements. However, in most cases the criteria will relate to employee's qualifications and skills; experience; work performance; attendance pattern (absence related to a disability should be discounted); disciplinary record and length of service.

Selection criteria will be applied fairly, objectively, consistently, carefully and reasonably to ensure equitable selection. It is important to gather as much documentary evidence to support the scoring process (as detailed at paragraph 4 below).

In every case the Executive Director, or nominated officer (3<sup>rd</sup> tier manager and above), is responsible for clearly recording the reasons for the scores awarded.

The Executive Director, or nominated officer (Head of Service/3<sup>rd</sup> tier manager) is responsible for co-ordinating the redundancy exercise within their department. The departmental HR Officer or HR Manager (Operations) will be available to assist with the process and give advice and guidance as required.

Where an employee considers that the selection criteria has been unfairly applied in their particular case, they will be entitled to appeal the decision on these grounds only. The employee or his/her representative shall write to the Head of Improvement and HR stating in detail the specific inequity in his/her individual case. Such notification must be lodged within 10 working days from the date of the decision on selection.

The Appeals process will be arranged at the earliest possible date and its decision will be final. The appeal panel will be made up of an Executive Director, an HR representative and a TU representative who have not been involved previously in the process. The Panel's decision will be final. The Council's Grievance Procedure does not apply.

### 3.2. Fair Criteria

- Relevant Qualification & Skills
- Relevant Experience
- Work Performance
- Attendance Record (absences relating to a disability, pregnancy, maternity or paternity will be discounted)
- Continuous Employment Disciplinary Record
- Disciplinary Record

### 3.3. Unfair criteria

In selecting employees for redundancy, the Council will **not** under any circumstances make reference to:-

- An employee's actions in taking steps to promote health and safety;
- An employee asserting a statutory right,
- Pregnancy or maternity;
- Trade Union membership or activities;
- A reason relating to an employee's disability.
- Gender, marital status, race, sexual orientation, age, religion or belief.
- Caring responsibilities (flexible/part-time working).

This list is not exhaustive – further guidance is available from the HR Modernisation Team.

## 4. Scoring Panel

A scoring panel will be established within the department and should consist of 2 senior managers (3<sup>rd</sup> tier or above) along with a representative from HR and, where appropriate, Trade Union(s). Under no circumstances should the scoring system be undertaken by one individual.

Membership of the scoring panel and the method of scoring will be subject to consultation with the relevant Trade Unions.

The HR representative will ensure that the scoring panel has access to sufficient information with regard to discipline and attendance on each employee so that informed judgements are made.

## 5. Redundancy Matrix

The application of the redundancy matrix will effectively score or rank the individuals within the pool and identify those employees who are likely to be 'at risk' of redundancy, depending on the number of redundancies needed in that service.

Once agreed, for a specific situation, matrices or scoring systems and weighting cannot be changed to influence the results.

### 5.1. Matrix Criteria

Common criteria used in selection for redundancy include:-

<b>Relevant Qualification &amp; Skills*</b>	<b>Score</b>
Has all the relevant qualifications and skills required.	5
Is working towards a relevant qualification and has the skills required.	4
Either has relevant qualification but does not have all the skills required OR has the skills required but does not have a relevant qualification.	3
Does not have the relevant qualification or skills	1

*Qualifications & Skills are those critical to taking the business forward.*

\*Where the Council is undertaking a programme of statutory training/development, eg SVQ qualifications within Social Work, for the purposes of this exercise it will be assumed that all employees have the necessary qualifications for the post irrespective of whether s/he has started/completed the SVQ programme, ie Employees must not be disadvantaged due to service/budgetary constraints.

<b>Relevant Experience</b>	<b>Score</b>
Has the relevant experience to be able to be effective in role with immediate effect, or with minimal development.	5
Has relevant experience but would require some structured development.	3
Has insufficient experience.	1

*Experience must be relevant to the requirements of the post.*

<b>Work Performance</b>	<b>Score</b>
Satisfactory	5
Unsatisfactory <b>and</b> there is a current documented performance improvement plan.	1

*Documentary evidence must be provided*

<b>Attendance Pattern (previous 3 years)</b>	<b>Score</b>
Good attendance no requirement to discuss with employee.	5
Attendance level required counselling.	3
Poor attendance – requiring intervention under the Council's Attendance Management review procedures.	1

*Important to ensure that accurate data is used and that the absence is not linked to maternity, paternity or disability, workplace accident or prohibitive criteria. Beware of any potential breach of Data Protection, ie in disclosing the reasons for absence.*

<b>Continuous employment</b>	<b>Score</b>
Over 15 years service	5
Between 10 and 15 years service	4
Between 5 and 10 years service	3
Between 2 and 5 years service	2
Up to 2 years service	1

*All local government service without any breaks should be taken account of.*

The above list details the core criteria that will be used.

**Where a tie break situation arises and more than 1 employee has a similar score, the following criteria will be taken into consideration. This criteria is to be used only where there is a tie break situation.**

<b>Disciplinary Record</b>	<b>Score</b>
No disciplinary record	5
Informal disciplinary discussion/letter of concern	4
Verbal warning	3
Written Warning	2
Final Written Warning	1

*Only current warnings, on file where the disciplinary process has been completed at the date of the exercise should apply. **Check expiry date carefully.** Do not take into consideration any current or outstanding disciplinary investigations.*

Any specific additions that may require to be made to reflect the circumstances of a specific post or posts will need to be discussed and agreed with the Trade Unions.

Where a criterion lacks quantifiable or factual information then care must be taken to ensure that the supporting evidence is relevant and reasonable to be used in these circumstances, ie a disciplinary record is verifiable and factual whereas work performance may not be.

To summarise, whatever selection criteria are used, care needs to be taken to ensure that they are neither directly nor indirectly discriminatory on grounds of age, gender, marital status, race, disability, sexual orientation, religion or belief.

## 5.2. Weighting

### **Compulsory Redundancy**

To achieve the total score for an employee, each of the criterion is weighted by a factor of 1 – 3 to reflect its relative importance. The weightings take into account the service's requirements to meet its future business needs and targets as defined within the Service Review or other similar process as well as the need to maintain a balanced workforce. The weightings will be as follows:-

- Qualifications and Skills (x3)
- Experience (x3)
- Work Performance (x1)
- Attendance Record (x2)
- Continuous Service (x1)
- Disciplinary Record (x1)

Having weighted the scores, a total is calculated for each employee. For example, where it is necessary to reduce the headcount in a work area from 20 – 15 a selection matrix is completed for all 20 employees. The 5 with the lowest scores will be provisionally selected for redundancy.

### **Voluntary Redundancy**

- Qualifications and Skills (x1)
- Experience (x1)
- Work Performance (x3)
- Attendance Record (x2)
- Continuous Service (x3)
- Disciplinary Record (x1)

### 5.3. Access to Matrix Scores

An employee whose post has been declared redundant has the right to see a breakdown of their own score and should be given limited information about their position on the matrix relative to other employees in the selection pool. They should not be given the specific scores of others in the selection pool but this information would require to be disclosed at an Employment Tribunal in the case of a claim for unfair selection for redundancy.