



Managing Change Policy

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Document summary

This policy sets out the County Council's agreed approach to managing organisational change. It describes the adopted principles concerning restructuring, redundancy and pay protection.

Enquiries

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Key points

- The management of change should be conducted in consultation with staff and trade unions.
- Where there are staff reductions, employment stability will be maintained wherever possible through redeployment and vacancy control.
- Principles of equality and fairness should always be maintained.
- HR&OD should be consulted as soon as the need for change is anticipated.

1. Introduction

- 1.1. The County Council is committed to delivering quality services in support of its key priority outcomes as described in the Council Plan. This means that we are often seeking new ways of working to make the best use of staff and resources.
- 1.2. This policy sets out the County Council's legal duties and the overarching principles governing its approach to managing organisational change.
- 1.3. Managers implementing changes to staffing structures and/or changes to jobs should ensure that they are familiar with this policy in full before beginning a change programme.
- 1.4. The County Council values its employees and is committed to providing job security for its employees as far as possible. It also recognises that it is important to have the optimum level of staff with the right skills mix and expertise to deliver excellent services to the residents of East Sussex.

Equality and diversity

- 1.5. Under the Equality Act 2010, public authorities are required to give due regard to the need to:
 - eliminate unlawful discrimination;
 - promote equality of opportunity; and
 - promote good relations between those who share a protected characteristic under the Equality Act, and those who do not.
- 1.6. Giving "due regard" means that a public authority has to give consideration (and show that they have given consideration) to the impact that a decision or change has on groups that share a protected characteristics. In order to proceed with any change which leads to an adverse effect for a protected group, they would need to have a solid, objective and reasonable justification for going ahead. The greater the relevance and potential impact for any group, the greater the regard required by the duty.
- 1.7. For more information see the [Promoting Diversity and Equality of Opportunity in Employment Policy](#).

- 1.8. Employees who are known to be or declare themselves to be disabled within the Equality Act definition should be provided with reasonable adjustments, where needed, at every stage of the process. Equally, managers should also consider making adjustments for members of staff who, whilst not covered under the Equality Act 2010, require an adjustment to prevent a condition developing further. All such requests and subsequent actions should be recorded. For more information please see the Workplace Adjustments Policy.

Support from HR&OD

- 1.9. HR&OD should be consulted as soon as the need for change is anticipated so that the impact on staff can be identified. The team will offer guidance to managers throughout the change management process.

Staff reductions

- 1.10. Where staffing levels need to be reduced the following principles will be applied:
- compliance with the relevant legislation;
 - consultation with staff and the appropriate trade unions;
 - attempt to avoid the need for compulsory redundancies;
 - discussions with trade unions about an appropriate method for selecting for redundancy – see [Consultation](#) and the [Restructure and Redundancy Policy](#);
 - use of the [Redeployment Policy](#) to seek suitable alternative employment for staff at risk of redundancy, or accepted for redeployment for other reasons, prior to external advertising.

2. Consultation

The general duty to consult employees

- 2.1. Where there is significant change proposed to pay, grading or organisational structures or working arrangements then the County Council will seek to consult on these changes with the relevant staff and trade unions, regardless of whether any redundancies are likely to occur and the number of jobs affected.
- 2.2. The formal consultation period is the opportunity for staff to put forward their comments, queries and suggestions in response to management proposals for change.
- 2.3. The length of any consultation period will be determined on a case by case basis with reference to the legal minimum periods applicable to potential redundancies shown below, but in all cases should be full and timely in relation to the change(s) proposed.

Specific consultation where redundancies are anticipated

- 2.4. In addition to the general duty to consult staff and recognised trade unions, there are legal requirements regarding consultation where restructuring may involve collective redundancies, defined as 20 or more people in a 90 day period.

- 2.5. Minimum consultation periods for collective redundancies are set out in the table below. Formal consultation should be completed before any decision is made which results in a member of staff being made redundant.

No. of contemplated redundancies in any 90 day period	Minimum length of consultation period
20-99 possible redundancies	At least 30 days before the first notice of dismissal takes effect.
100+	At least 45 days before the first notice of dismissal takes effect.

- 2.6. Contemplated redundancies' in this context means the possible termination of employment of an individual, so the consultation provisions would apply even where:
- restructuring would cause no overall loss of total staff employed because of new recruits; or
 - employees are to be redeployed on such different terms and conditions of employment that accepting those posts amounts to dismissal and re-engagement.
- 2.7. The formal consultation process with staff and trade unions should include the proposed redundancy selection criteria.

3. Managing change effectively

- 3.1. It is important for managers to identify the staffing implications that arise from any proposals for change, at the earliest possible opportunity.
- 3.2. This includes identifying any impacts on service delivery, in particular the loss of skills, experience or organisational knowledge that might potentially compromise service delivery. Where a change process leads to employees leaving the service or organisation, a handover process should take place. This will help ensure that any important service delivery information can be passed on to the relevant colleagues.
- 3.3. In addition to the [Managing Change Policy](#) managers contemplating organisational change should be familiar with, and have regard to, other relevant policies including:
- [Redeployment Policy](#)
 - [Recruitment and Selection Toolkit](#)
 - [Retirement and Pensions Policy](#)
 - [Retirement, Pensions and Redundancy Policy for teachers](#)
 - [Voluntary Severance Scheme](#)
 - [Work Styles Policy](#)

4. Support and advice for employees

Employee Assistance Programme

- 4.1. The County Council acknowledges that organisational change can be unsettling. Employees can access a wide range of support for matters that may worry or concern them, including counselling and financial advice, via the Employee Assistance Programme. This is a confidential and independent service available 24/7, 365 days a year on 0333 212 8382.

- 4.2. Further details can be found on the intranet and the Webshop. Note: for schools this only applies where your school has purchased this service.

Trade unions

- 4.3. Trade unions may provide additional support and advice to their members. Details about the recognised trade unions can be accessed on the intranet and the Webshop.

Training and other support

- 4.4. As part of the preparation for organisational change, managers should consider what training might be appropriate to support staff through the change process, for example preparing for job interviews or advice on retirement.
- 4.5. Additional support for employees facing potential redundancy should be considered and could include:
- Redeployment;
 - help with C.V.s;
 - retraining;
 - outplacement, advice and support.

Time off for seeking alternative employment

- 4.6. Where employees are formally at risk of redundancy, the County Council will allow a reasonable amount of paid time off for them to seek alternative employment.
- 4.7. To ensure the policy is applied consistently, the following is recommended:
- the relevant manager should agree the time off in advance;
 - the employee should give at least 24 hours notice;
 - written confirmation of the interview appointment or the training arrangements should, as far as possible, support the request for paid time off.

Restructure and Redundancy Policy

Key Points

- The provisions of the [Managing Change Policy](#) will apply to all County Council restructures. Information will be provided to staff likely to be affected by any restructure and meaningful consultation will take place both with affected staff and recognised trade unions.
- The [Redeployment Policy](#) will also be followed to facilitate employment stability.
- Posts within the scope of a restructure will only be advertised externally once internal candidates affected by the restructure have been considered.
- This procedure should be used to effect any organisational change to structures within the County Council to ensure change processes are consistent, fair and equitable across the organisation.

5. Overview

- 5.1. To enable the County Council to meet the aims set out in the [Introduction](#), services may need to change their existing structures from time to time to meet changing service delivery demands.
- 5.2. This policy is designed to be flexible, enabling the County Council to adapt to changing circumstances. All those involved in change should keep an open mind and be prepared to consider different ideas and approaches. Consultation about future service delivery should be meaningful and constructive.
- 5.3. The overarching policy principles and legal duties set out in this policy will be applied to all restructures. In summary these are:
 - fair and equitable processes and procedures;
 - consultation with staff and recognised trade unions, according with legal requirements where appropriate;
 - employment stability;
 - promoting equality and diversity in employment including making reasonable adjustments in accordance with the Equality Act 2010;
 - support for staff during change processes.
- 5.4. The Restructure and Redundancy Procedure is designed to ensure that all reorganisations within the County Council are carried out in accordance with the above policy principles. Managers should follow this procedure for all County Council restructures

6. Appointing to the new structure

- 6.1. The selection methods for making appointments may vary between restructures, but where a competitive process is required this will normally involve an interview. Where possible, employees will only be asked to interview once, even if they are being considered for multiple posts.

- 6.2. Employees will normally be issued with a preference form on which to express their preference for up to three posts in ranking order.
- 6.3. A range of mechanisms is likely to be used to appoint people to posts in any revised structure. These are likely to include but are not limited to:
 - direct appointment;
 - inner ring fence;
 - outer ring fence;
 - external advertising.

Impact on salary

- 6.4. When appointing an employee to the same grade, their current salary and incremental pattern will normally continue unaffected.
- 6.5. When appointing an employee to a different grade, one of the following three scenarios will typically apply:
 - if the lowest scale point of the new grade is higher than their current salary, they will normally be placed on that minimum scale point; or
 - if their current salary is within the bounds of the new grade, they will normally be placed on the spinal column point which corresponds most closely to their previous salary without representing a loss in salary; or
 - if the highest scale point of the new grade is lower than their current salary, they will normally be placed on that maximum scale point and [pay protection](#) may apply.

7. Absent employees

- 7.1. Managers must ensure that employees who are absent during all or part of a consultation period (for reasons such as long-term sickness or maternity leave) are provided with the relevant consultation documents and have the opportunity to provide feedback on them.
- 7.2. If absent employees are unable to attend interviews or other parts of an appointment process then decisions may be taken in their absence, for example by using their written submissions or detailed references from their line manager.

8. Temporary arrangements – secondments and acting up

- 8.1. For the purposes of restructuring, an employee's substantive post is the one which is their permanent, contractual appointment, i.e. one that is not a temporary arrangement such as acting up or secondment.
- 8.2. Where a secondment or acting up arrangement has been in place for over a year, it may be considered appropriate for the employee to be considered in the Inner Ring Fence for posts and/or grades at their current level. The rationale for ring-fencing arrangements will be detailed within the relevant consultation pack. [See Ring fencing](#).

9. Redundancy

Definition of redundancy

- 9.1. The legal definition of redundancy is set out in the Employment Rights Act 1996. In essence, redundancy is when someone is dismissed because the employer is either ceasing or doing less of the work for which they were employed.

Redundancy selection

- 9.2. The criteria for redundancy selection will vary from case to case, but the County Council will always strive to ensure criteria are fair, objective and supported by the appropriate documentation. The criteria should be stated as part of the [consultation](#) process before they are implemented. Some common examples include:
- interview scores;
 - attendance record;
 - disciplinary record;
 - performance record;
 - an assessment of skills, knowledge and experience.

Voluntary redundancy

- 9.3. During a restructure exercise, employees may wish to put themselves forward for voluntary redundancy and all such requests will be considered on a case by case basis. The County Council reserves the right to decline such requests where it is considered that to do so is in the best interests of service delivery.
- 9.4. Non-school based employees eligible for Local Government Pension Scheme (LGPS) membership are able to apply for voluntary severance at any time, subject to an acceptable business case being made. See the [Voluntary Severance Scheme](#).

Redundancy payment – entitlement

- 9.5. The following does not apply to County Council staff employed on teachers' terms and conditions and/or eligible for the Teachers' Pension Scheme, or to those employed on NHS terms and conditions. Teachers and NHS staff seeking guidance on redundancy payments should contact the HR Advisory Team on 01273 481300. Teachers should also refer to the [Redundancy and premature retirement policy for teachers](#) available on the intranet and the Webshop.
- 9.6. Employees who are eligible for membership of the Local Government Pension Scheme (LGPS) and who are dismissed for reasons of redundancy, will normally be entitled to a statutory redundancy payment, if they have the required continuous service.
- 9.7. The requirement will normally be two years' continuous service, at the effective date of dismissal, with an employer recognised under the Redundancy Payments Modification Order 1999.

Statutory redundancy pay

- 9.8. The statutory redundancy payment is calculated according to age and length of service and is expressed as a number of weeks' pay (capped at a maximum limit set annually each April) and for up to a maximum of 30 weeks: see the [Redundancy Ready Reckoner](#).

Enhanced redundancy pay

- 9.9. The County Council has the discretion to pay more than the legal minimum and to make an 'enhanced redundancy payment'. Currently the County Council's local discretionary policy is to base the redundancy payment for eligible employees on:

- the actual, uncapped, weekly rate of gross pay of the employee
- and usually to enhance the lump sum severance payment further by applying a multiplier of 1.75 (up to a maximum of 52.5 weeks' pay).

Under these terms, the value of a payment could be calculated as follows:

Weeks entitlement (see ready reckoner)	x	$\frac{\text{Annual gross salary}}{52.14}$	x	1.75	=	Payment value
<i>Example:</i>	10	x	$\frac{\pounds 20,000}{52.14}$	x	1.75	= £6,730.77

9.10. For the purposes of calculating the enhanced proportion of the redundancy payment, the employee's gross weekly salary will not be considered to include pension contributions made by the employer, or any other payments that are not normally made direct to the employee.

9.11. The first £30,000 of a redundancy payment will not normally be subject to deductions such as tax, National Insurance or pension, while values over this amount normally will be. However, every person's circumstances are different, so this is only a guide.

Redundancy payment – approvals

9.12. Redundancies must be approved by the relevant Chief Officer in consultation with the Chief Finance officer and Assistant Director of HR&OD.

9.12.1. The following situations also require approval from the Chief Executive:

- payments in excess of £30,000;
- redundancy of a chief officer, deputy chief officer or assistant director.

9.13. In schools, the Governing Body (or Headteacher where the authority to dismiss employees has been delegated from the Governing Body) should approve the terms of redundancy and follow the approvals process in Annex E of The Scheme for Financing Schools. See the [Redundancy and premature retirement policy for teachers](#).

Pension benefits

9.14. Employees aged 55 or over are encouraged to visit the relevant pension scheme website for details of the pension benefits they may be entitled to:

www.eastsussexpensionfund.org

www.teacherspensions.co.uk

www.nhsbsa.nhs.uk/pensions

9.15. Employees who are members of the Local Government Pension Scheme and who will be aged 55 or over at the effective date of dismissal for reasons of redundancy should also refer to the [Retirement Options and Pensions Benefits Policy](#).

Notice periods

9.16. Where notice is given by the employer, an employee's entitlement to notice will be in line with their contract of employment. Typically this is one, two or three months. This may be overridden by an employee's statutory entitlement, which is no less than one week's notice for each completed year of continuous service up to a maximum of twelve. Employees are entitled to whichever is greater.

9.17. For employees on teachers' terms and conditions, or NHS employment terms, contractual notice periods and notice dates will be in line with their respective national conditions of employment and may differ from those outlined above.

Withholding redundancy payments

9.18. If an employee, under notice of redundancy, receives an offer of work in local government or a related employer as defined in the [Redundancy Modification Order 1999](#) to commence the fifth Monday following the date of termination, there will be no entitlement to a redundancy payment. This includes an offer of a 'suitable alternative' post at the County Council, as defined in the [Redeployment Policy and Procedure](#).

Continuity of service

9.19. An employee's continuity of service will not be broken if:

- the employee receives and accepts an offer of employment with an organisation covered by the Redundancy Modification Order 1999 before their employment ends with the County Council; and
- he/she starts their new job before the 5th Monday following the date of termination of employment.

9.20. However, in these circumstances, they will not be entitled to a redundancy payment.

9.21. Where a redundancy payment is made, continuity of service will be broken for the purpose of calculating a future redundancy payment. However, there is an entitlement to count previous service for notice periods, annual leave, sickness payments and maternity leave, on return to local government or a related employer, provided that the break in service has not exceeded 2 years.

Re-engagement of redundant employees

9.22. In principle, there should be a presumption against re-employment or re-engagement of employees who have been made redundant with an enhanced severance payment. However, where re-employment is in the best interests of the service and there is a clear business case to do so, this can be agreed by the relevant Assistant Director in conjunction with the Head of HR&OD.

9.23. If re-engagement is approved, the rate of pay applied to the work undertaken by the re-engaged employee should be that appropriate to the work to be done and not the grade which applied to the employee in the employment that they were made redundant from

9.24. Re-engagement includes contracts of employment, consultancy arrangement or third party arrangements such as recruitment agencies.

9.25. An offer of casual or relief work would not constitute re-engagement so long as it does not constitute employment. For example, employees who have been made redundant could be offered casual work so long as it is truly casual by nature, such as there being no guarantee that work will be offered and where any offer of work which is made can be declined. Where such casual work is offered, it is therefore important to ensure that a regular pattern of work is not established.

10. Formal consultation

10.1. This part of the procedure should be read in conjunction with the [Consultation section](#) of the [Managing Change Policy](#).

- 10.2. An initial consultation meeting will take place at the outset of any restructure process, outlining the reasons for the change. Staff should be given reasonable notice of this meeting.
- 10.3. During the consultation, staff should receive the following information:
- details of the proposals including, in the case of potential redundancies, the proposed method of selecting the employees who may be made redundant and the [ring fence arrangements](#);
 - a communications strategy, with details of how feedback will be accepted;
 - proposals for implementation;
 - a timetable, including dates of meetings; and
 - information about the [support and advice available to employees](#).
- 10.4. The volume and complexity of this information will vary according to the size and complexity of the restructure.
- 10.5. All employees affected by any re-structure will have access to relevant proposed structure charts, job descriptions, person specifications and grades at the outset of the process.
- 10.6. The County Council will allow the recognised trade unions sufficient time to properly consider the proposals and to consult with their members, as well as consulting directly with the employees affected over the proposals, so that they understand fully the matters about which they are being consulted and the implications of the proposed changes (both personally and collectively).
- 10.7. In some circumstances it may be helpful to hold additional individual consultation meetings with staff at risk of redundancy to answer any outstanding questions that they may have, or to allay fears or concerns.
- 10.8. Trade unions and employees will be given reasonable time to formulate and formally put forward any counter proposals for consideration, if they wish, and very careful deliberation will be given to any formal responses put forward.
- 10.9. Employees and trade unions should be provided with a response to any feedback that they have submitted on the proposals and should be provided with details of the proposed final structure.

11. Appointing to the new staffing structure

- 11.1. With the exception of Chief Officers/Head Teachers, no appointments will be made to a reorganised structure (complete or in part) until the proposals have been issued and consultation with those affected has taken place.
- 11.2. Appointments will often be made in hierarchical order, for example, management posts then non-management posts and it should be agreed during the consultation process whether this will happen simultaneously or consecutively.

12. Ring fencing

- 12.1. As part of the consultation process, managers will consult their staff about the revised proposals for the new structure(s), identifying those posts which will be filled by applying the following mechanisms:

- Direct appointment;
- Inner ring fence;
- Outer ring fence.

12.2. Where redundancies need to be made, the “pool” of employees from which potential redundancies may result will be defined and this will often be done through a ring-fencing exercise. Managers should seek advice from the HR Advisory Team.

12.3. Assignment to the ring fences will be done according to an employee’s substantive post, see also [temporary arrangements](#).

12.4. All individuals will be informed about the ring-fence into which they fall. An employee who:

- either disagrees with their ring-fence allocation;
- or who does not feel that it is appropriate that their post has been identified as being within the pool from which the redundancies will be drawn

should put this in writing to the manager as part of the consultation process.

Direct appointment (slotting in)

12.5. Employees will be directly appointed in circumstances where:

- the number of new posts after the restructure is greater than or equal to the number of eligible employees; and
- there is little or no change in the duties (as a guide, this might be where 80% of the duties of the new role existed within the previous role)

12.6. A directly appointed employee will be able to refuse such an appointment, in which case the post will be open to a competitive process, initially to others affected by the reorganisation. If no appointment is made following the ‘ring-fencing’ exercise, the post will be advertised more widely.

12.7. By excluding themselves at this stage it should be made clear to the employee that a substantive post might not be secured and any entitlement to a redundancy payment may be lost.

12.8. Once an employee has been appointed to a post, they will not normally be allowed to apply for an alternative appointment during the rest of the restructuring process, except where such posts are being advertised more widely.

12.9. Managers will review the method of filling a refused direct appointment and will consult as appropriate.

Inner ring fence

12.10. An inner ring fence will normally consist of employees whose substantive post is graded similarly to and/or who undertake work at the level of the new posts and might typically be used when:

- Either where the posts involve similar responsibilities but the number of employees in these posts exceed the number of new posts in the team;
- Or where the new posts differ, either because they are of a similar (but not necessarily identical) grade, or where the tasks and responsibilities of new posts are dissimilar and, as a guide, less than 80% match with the original post(s).

Outer ring fence

12.11. An outer ring fence might typically be used when:

- Either where a post remains vacant and all employees within the 'inner ring' have been considered;
- Or where the post is a new role within the structure.

Competitive appointment

12.12. A competitive appointment situation usually occurs when there is an inner or outer ring fence.

12.13. Employees eligible for competitive appointment within similar job groups will normally be asked to complete a Preference Pro-forma stating which post(s) they are applying for up to a maximum of three, indicating an order of priority, and outlining the skills and experience they believe they have for each post.

12.14. The procedure for competitive appointments will follow the pattern of any normal recruitment and selection process, but the field of candidates will be restricted to the ring fence. The selection method(s) will be established as part of the consultation process but will normally include a selection interview.

12.15. Competitive interviews may take place to fill the posts in the structure. Wherever possible, there will be one interview only, the main focus of which will be on the employee's first preference. There will be an opportunity for other preferences to be considered, hopefully avoiding the need for a further interview.

12.16. Managers may need to conduct more than one interview particularly if the posts require different skills, knowledge and experience, even within the same team. If multiple interviews are to be held this will be described in the consultation pack.

12.17. During the selection process it is important for managers to apply the selection criteria consistently and to keep accurate records of the full selection process.

Unfilled posts

12.18. Posts should not be advertised externally until internal candidates affected by the restructure have been considered. If there are posts in the new structure which remain vacant at the end of the process, they will then be advertised and filled in the usual way.

Selection for redundancy

12.19. Once redundancy selection criteria have been put into effect, employees will be advised whether they have been provisionally selected for redundancy.

12.20. Should an individual disagree with their individual assessment, or feel that selection criteria have been unfairly applied in their case, they should put this in writing to the manager leading the process, or another Senior Manager as appropriate, and any individual concerns about the decisions made will be reviewed.

Formal notification of redundancy

12.21. Should the decision be to dismiss on the grounds of redundancy, written notification of redundancy will be given to employees as soon as practicable, providing details of appropriate [notice periods](#).

12.22. Employees who are at risk of redundancy will be considered for redeployment, see the Redeployment Policy.

Pay Protection Policy

Key Points

- The provisions of the [Managing Change Policy](#) will apply to all County Council restructures. Information will be provided to staff likely to be affected by any restructure and meaningful consultation will take place both with affected staff and recognised trade unions.
- Posts within the scope of a restructure will only be advertised externally once internal candidates affected by the restructure have been considered.
- This procedure should be used to effect any organisational change to structures within the County Council to ensure change processes are consistent, fair and equitable across the organisation.

13. Scope of this policy

13.1. This policy applies to all employees except:

- those redeployed for reasons other than being at risk of redundancy; and
- those employed on the national teacher's terms and conditions and/or eligible for membership of the Teachers' Pension Scheme.

13.2. Teachers at risk of redundancy who are redeployed to another post in the same authority as a result of reorganisation or closure of an establishment, will be entitled to pay protection in accordance with the national teacher's terms and conditions and the Teachers' Pension Scheme.

14. Duration of pay protection

14.1. Pay protection will normally apply for a period of up to 1 year.

14.2. In principle, redeployment on ill health grounds will not attract pay protection.

15. Extent of pay protected

15.1. Pay protection generally applies to 'normal pay' as it was immediately before the change, which is made up of the basic salary and any related enhancements or allowances that were earned as part of the employee's regular work. It does not apply to non-contractual overtime.

15.2. For employees whose earnings vary from month to month, 'normal pay' will be calculated by assessing their earnings in the 3 months before the date of change.

15.3. **Where pay protection arises from redeployment as an alternative to redundancy** and the salary of the new position is lower, up to 10% of the current salary will normally be offered as pay protection. Where the difference is greater than 10%, the new post may not always be considered a 'suitable alternative' as defined in the [Redeployment Policy](#).

Where a “suitable alternative” vacancy exists, but the employee chooses to take up another appointment which the employer does not consider to be a “suitable alternative”, there will be no pay protection.

However, if a ‘suitable alternative’ vacancy is not available and the employee takes a lower paid job as an alternative to redundancy, then pay protection up to 10% of the current salary will be applied.

- 15.4. Annual pay awards and increments will not be applied to protected pay; once the protected sum is identified it remains static until such time as:
- either the period of protection expires;
 - or the salary in the new role reaches a value higher than the protected sum, (typically achieved through increments and/or pay awards).

See [Appendix 1](#) for a worked example.

- 15.5. The costs of pay protection will normally be paid by the previous employing department or school.

16. Other protections

- 16.1. Pay protection normally relates to pay only and does not extend to the protection of the wider terms and conditions of the post.

17. Factors affecting pay protection

- 17.1. If an employee’s contractual arrangements change whilst they are receiving pay protection, the change may result in their pay protection being either reduced or stopped. Managers and their employees should therefore ensure that they fully understand the impact of further contractual change on the pay protection, before any such change is agreed.
- 17.2. Where an employee is required to reduce their working hours as a result of redeployment to a ‘suitable alternative’ post as an alternative to redundancy, pay protection will apply if there is a difference in salary not exceeding 10%. For the duration of the pay protection period the employee could be required to work the original number of hours they are receiving pay protection for, assuming suitable work is available for them to do.
- 17.3. However, where an employee chooses to decrease their hours, either at the time of change, or after the change has happened and pay protection has been applied, the protected pay level will be calculated as the difference between the pro-rata’d salary of the pre change post/grade and the new, post change post/grade.
- 17.4. If an employee increases their hours, either at the time of change, or after the change has happened, then the additional hours will be paid at the new grade of the role. The original pay protection will remain in place for the duration of the pay protection period.

17.5. If, during the period of pay protection, a vacancy arises at the original grade, the County Council reserves the right to transfer the employee to this post, provided it is a 'suitable alternative' and there is a good match of skills and experience. If the employee unreasonably refuses to transfer, the pay protection will cease. The employee's concerns will be considered carefully and trade union representation will be permitted if the employee is a trade union member. Employees who are not trade union members will be permitted support from a workplace colleague, if required.

Appendix 1 – Example of pay protection



In this example, a new structure takes effect on 1 January. The employee's basic salary before the change was £15,000. The salary range for the new post goes up to £14,500 so that becomes their new basic salary and pay protection of the difference is put in place, meaning that their actual pay remains at £15,000.

On 1 April, a pay award takes effect and the salary for the new post becomes £14,750. This amount is still below the salary from before the restructure but the pay protection keeps the overall pay at £15,000.

The pay protection lasts for up to a year, so as of the next January the employee's salary becomes that of the new post, i.e. it becomes £14,750.

Appendix 2 – Redundancy ready reckoner

Age	Service (Years)																		
	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20
17*	1	-																	
18	1	1½	-																
19	1	1½	2	-															
20	1	1½	2	2½	-														
21	1	1½	2	2½	3	-													
22	1	1½	2	2½	3	3½	-												
23	1½	2	2½	3	3½	4	4½	-											
24	2	2½	3	3½	4	4½	5	5½	-										
25	2	3	3½	4	4½	5	5½	6	6½	-									
26	2	3	4	4½	5	5½	6	6½	7	7½	-								
27	2	3	4	5	5½	6	6½	7	7½	8	8½	-							
28	2	3	4	5	6	6½	7	7½	8	8½	9	9½	-						
29	2	3	4	5	6	7	7½	8	8½	9	9½	10	10½	-					
30	2	3	4	5	6	7	8	8½	9	9½	10	10½	11	11½	-				
31	2	3	4	5	6	7	8	9	9½	10	10½	11	11½	12	12½	-			
32	2	3	4	5	6	7	8	9	10	10½	11	11½	12	12½	13	13½	-		
33	2	3	4	5	6	7	8	9	10	11	11½	12	12½	13	13½	14	14½	-	
34	2	3	4	5	6	7	8	9	10	11	12	12½	13	13½	14	14½	15	15½	-
35	2	3	4	5	6	7	8	9	10	11	12	13	13½	14	14½	15	15½	16	16½
36	2	3	4	5	6	7	8	9	10	11	12	13	14	14½	15	15½	16	16½	17
37	2	3	4	5	6	7	8	9	10	11	12	13	14	15	15½	16	16½	17	17½
38	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	16½	17	17½	18
39	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	17½	18	18½
40	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	18½	19
41	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	19½
42	2½	3½	4½	5½	6½	7½	8½	9½	10½	11½	12½	13½	14½	15½	16½	17½	18½	19½	20½
43	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21
44	3	4½	5½	6½	7½	8½	9½	10½	11½	12½	13½	14½	15½	16½	17½	18½	19½	20½	21½
45	3	4½	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22
46	3	4½	6	7½	8½	9½	10½	11½	12½	13½	14½	15½	16½	17½	18½	19½	20½	21½	22½
47	3	4½	6	7½	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23
48	3	4½	6	7½	9	10½	11½	12½	13½	14½	15½	16½	17½	18½	19½	20½	21½	22½	23½
49	3	4½	6	7½	9	10½	12	13	14	15	16	17	18	19	20	21	22	23	24
50	3	4½	6	7½	9	10½	12	13½	14½	15½	16½	17½	18½	19½	20½	21½	22½	23½	24½
51	3	4½	6	7½	9	10½	12	13½	15	16	17	18	19	20	21	22	23	24	25
52	3	4½	6	7½	9	10½	12	13½	15	16½	17½	18½	19½	20½	21½	22½	23½	24½	25½
53	3	4½	6	7½	9	10½	12	13½	15	16½	18	19	20	21	22	23	24	25	26
54	3	4½	6	7½	9	10½	12	13½	15	16½	18	19½	20½	21½	22½	23½	24½	25½	26½
55	3	4½	6	7½	9	10½	12	13½	15	16½	18	19½	21	22	23	24	25	26	27
56	3	4½	6	7½	9	10½	12	13½	15	16½	18	19½	21	22½	23½	24½	25½	26½	27½
57	3	4½	6	7½	9	10½	12	13½	15	16½	18	19½	21	22½	24	25	26	27	28
58	3	4½	6	7½	9	10½	12	13½	15	16½	18	19½	21	22½	24	25½	26½	27½	28½
59	3	4½	6	7½	9	10½	12	13½	15	16½	18	19½	21	22½	24	25½	27	28	29
60	3	4½	6	7½	9	10½	12	13½	15	16½	18	19½	21	22½	24	25½	27	28½	29½
61+	3	4½	6	7½	9	10½	12	13½	15	16½	18	19½	21	22½	24	25½	27	28½	30