

Restructuring

When restructuring, when is dismissal and re-engagement appropriate rather than redundancy?
What are the key risks in each approach?

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Agenda

1. How do you identify whether there is a redundancy situation?
2. When should you consider dismissal and re-engagement?
3. What are the key risks of dismissing and re-engaging?
4. What are the key risks when handling redundancies?
5. Questions and Discussion



How do you identify whether there is a redundancy situation?

Business closure

- Complete closure of the organisation

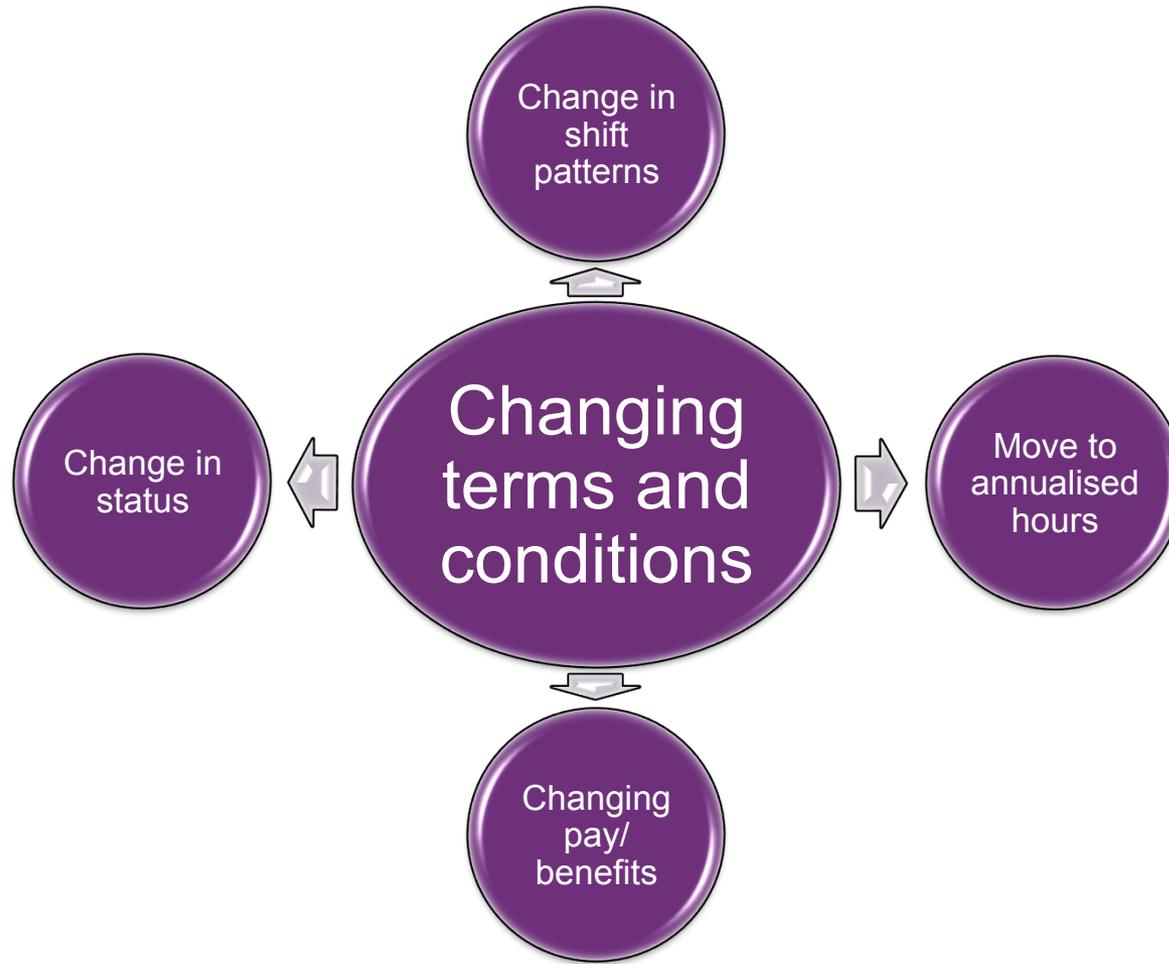
Workplace closure

- Closure of one of several sites
- Relocation to a new site

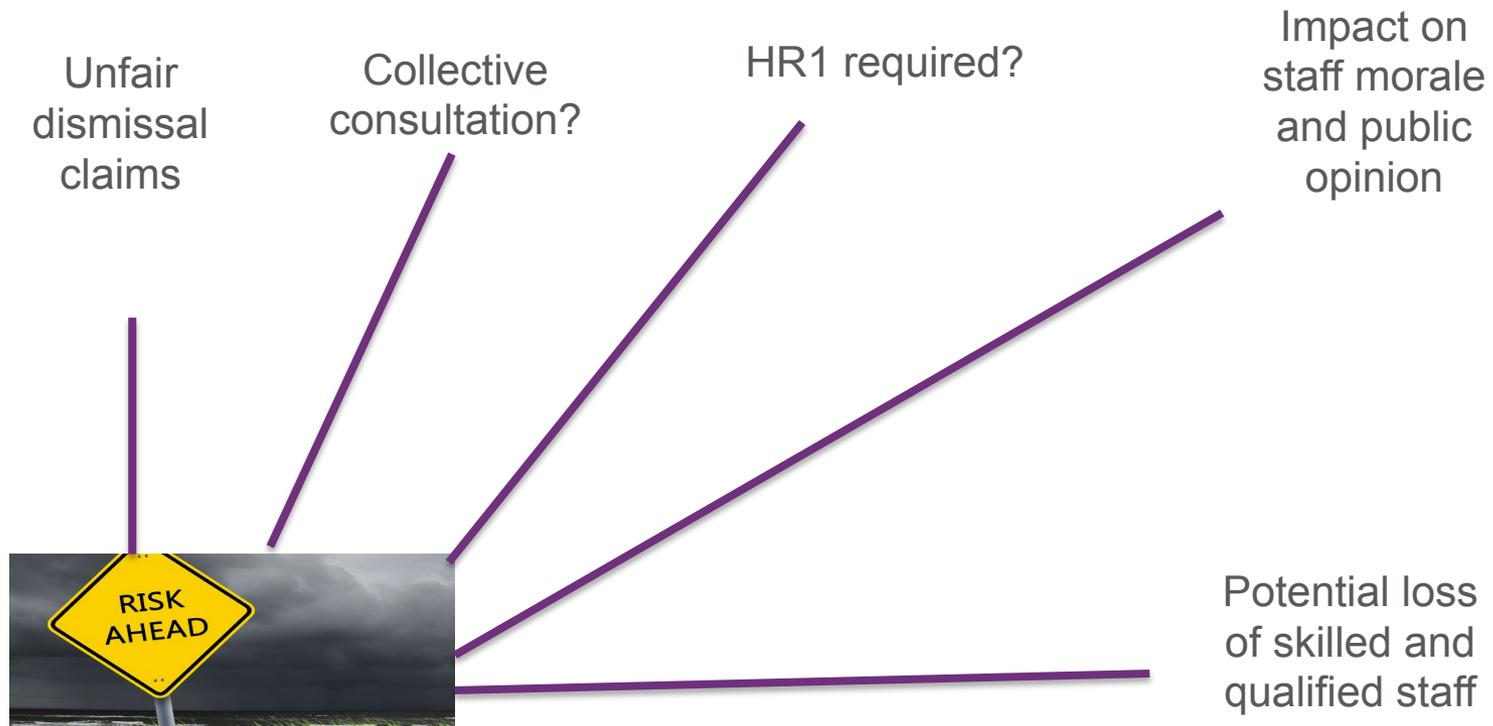
Diminished requirement for employees to do work of a particular kind

- Focused on business needs not particular employee
- Overall employee numbers may not change

When should you consider dismissal and re-engagement?



What are the key risks of dismissing and re-engaging?



Consultation

Collective consultation

- Appropriate representatives
- Required information
- With a view to reaching agreement

Individual consultation

- Right to be accompanied?
- Fundamental to fairness

What are the key unfair dismissal risks when handling redundancies?

Forgetting
absent
employees

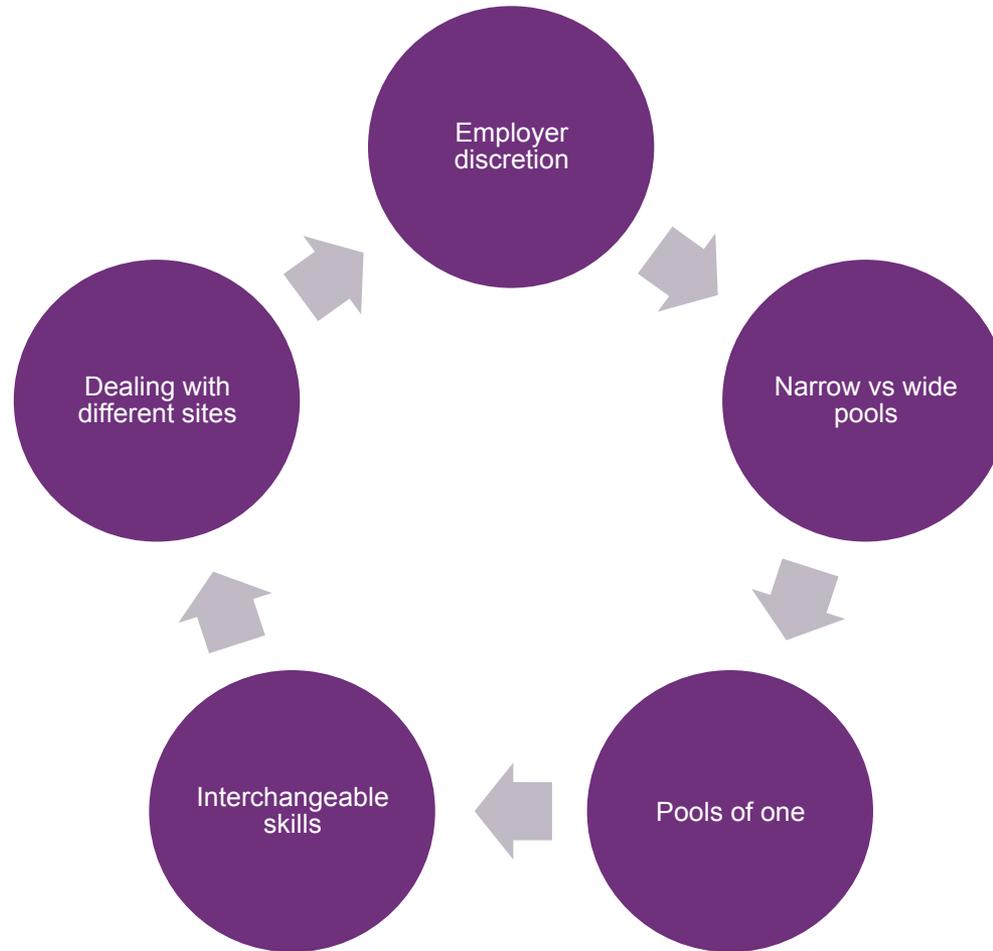
Defining the pool for
redundancies



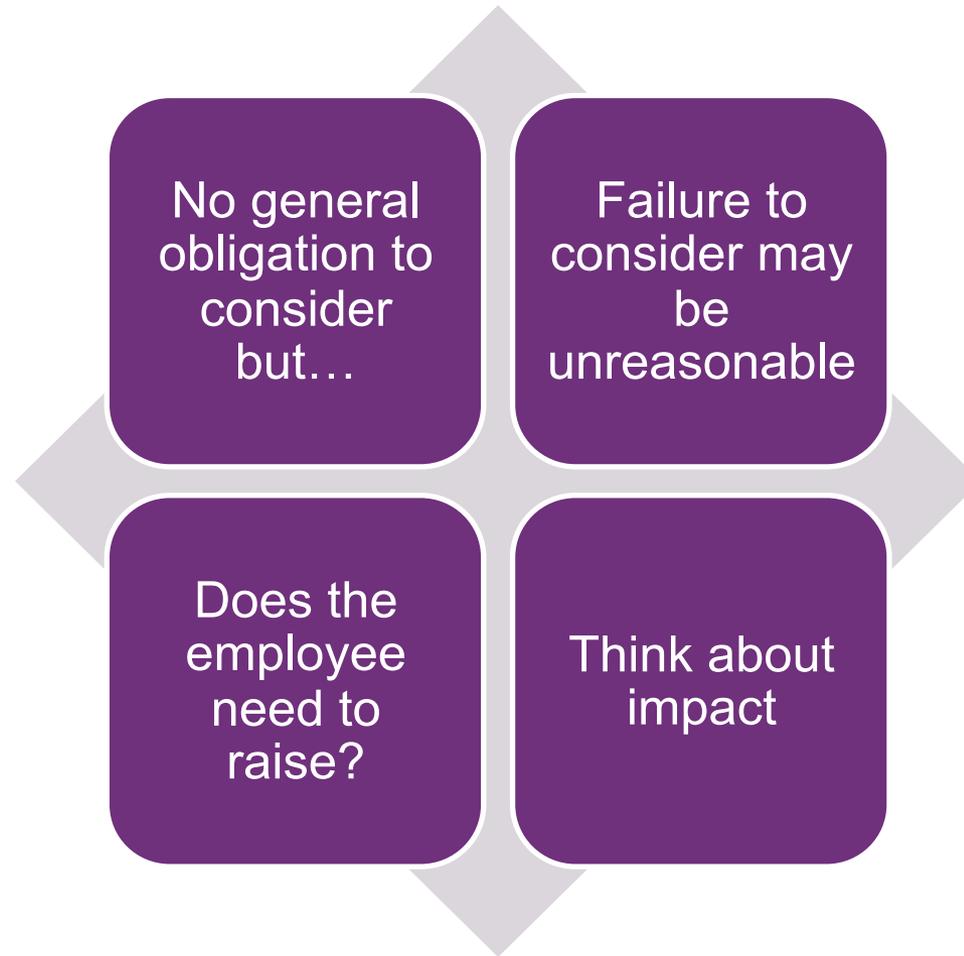
Failure to consider
bumping

Not offering suitable
alternative employment

Pooling



Bumping



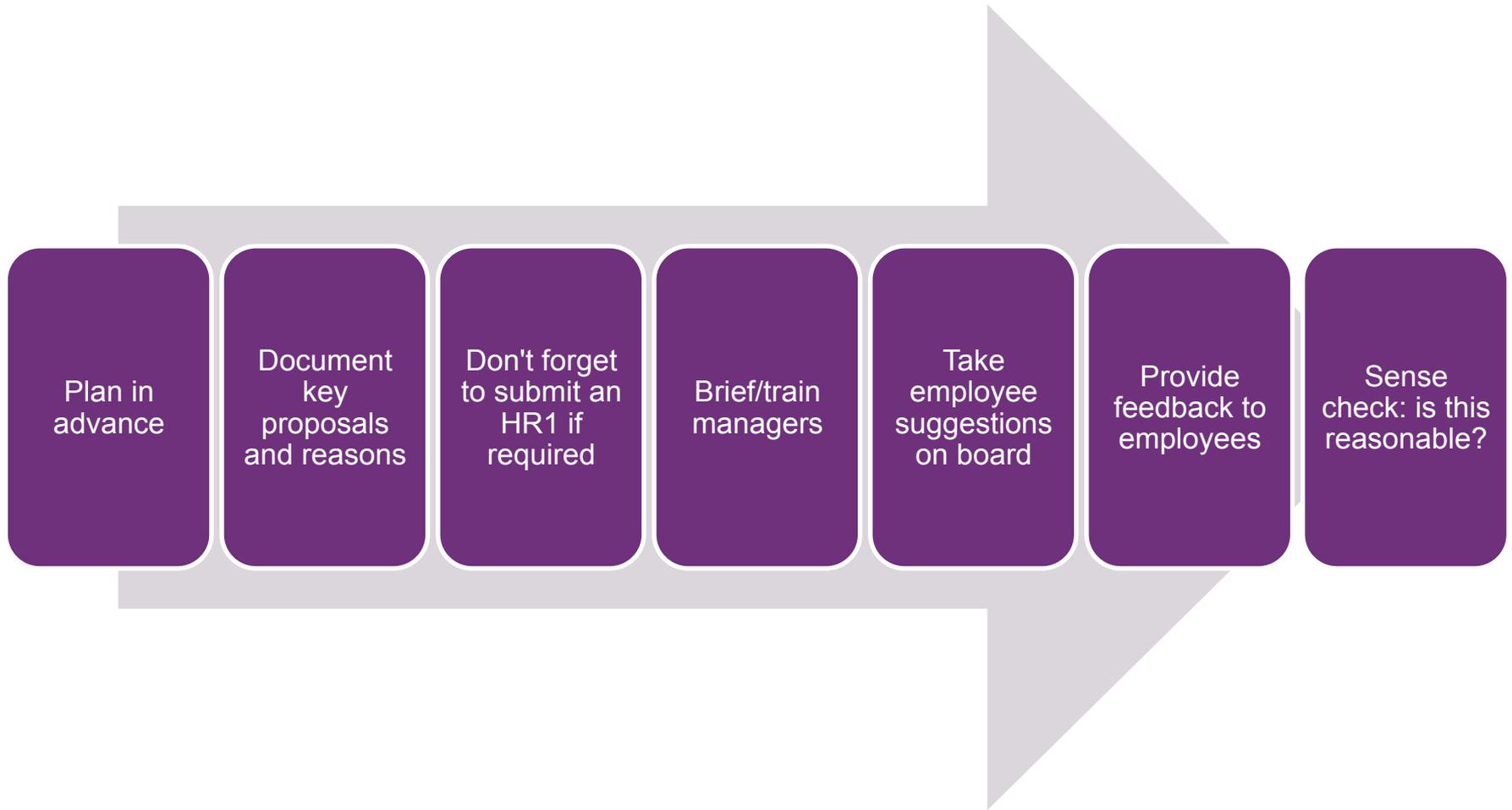
Absent employees

Maternity leave protection - "reg 10"

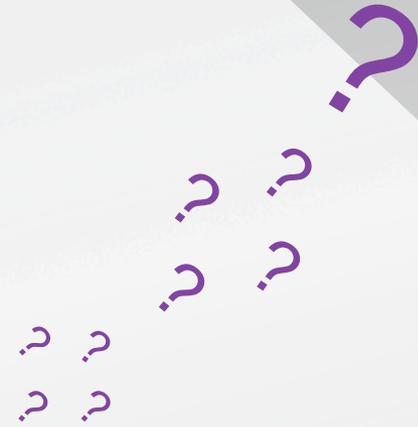
How to consult with absent employees?

Factor in to timescales

Top tips



Questions and Discussion



Thank you

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