

AGENDA

Meeting: STAFFING POLICY COMMITTEE
Place: Council Chamber, County Hall, Trowbridge
Date: Tuesday 12 October 2010
Time: 2.00 pm

Please direct any enquiries on this Agenda to Roger Bishton, of Democratic and Members' Services, County Hall, Bythesea Road, Trowbridge, direct line 01225 713035 or email roger.bishton@wiltshire.gov.uk

Press enquiries to Communications on direct lines (01225) 713114/713115.

This Agenda and all the documents referred to within it are available on the Council's website at www.wiltshire.gov.uk

Membership:

Cllr Allison Bucknell
Cllr Rod Eaton
Cllr Mike Hewitt
Cllr David Jenkins
Cllr Francis Morland

Cllr John Noeken
Cllr Mark Packard
Cllr Jane Scott OBE
Cllr John Smale

Substitutes:

Cllr Ernie Clark
Cllr Peter Colmer
Cllr Mary Douglas
Cllr George Jeans

Cllr Howard Marshall
Cllr Bill Moss
Cllr Christopher Newbury
Cllr Jonathon Seed

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PART I

Items to be considered while the meeting is open to the public

1. **Apologies for absence**

2. **Minutes of Previous Meeting** *(Pages 1 - 4)*

To confirm the minutes of the meeting held on 22 September 2010. (Copy attached)

3. **Declarations of Interest**

To receive any declarations of personal or prejudicial interests or dispensations granted by the Standards Committee.

4. **Chairman's Announcements**

5. **Public Participation**

The Council welcomes contributions from members of the public.

If you would like to make a statement at this meeting on any item on this agenda, please register to do so at least 10 minutes prior to the meeting. Up to 3 speakers are permitted to speak for up to 3 minutes each on any agenda item. Please contact the officer named above for any further clarification.

Members of the public wishing to ask a question should give written notice (including details of any question) to the officer named above by **12.00noon on Friday 8 October 2010**.

6. **Redundancy Pay, Redundancy and Appointments Policies** *(Pages 5 - 38)*

A report by the Service Director, HR & OD is attached.

7. **Urgent Items**

Any other items of business which, in the opinion of the Chairman, should be considered as a matter of urgency. Urgent items of a confidential nature may be considered under Part II of this agenda.

PART II

Items during whose consideration it is recommended that the public should be excluded because of the likelihood that exempt information would be disclosed

None

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STAFFING POLICY COMMITTEE

DRAFT MINUTES OF THE STAFFING POLICY COMMITTEE MEETING HELD ON 22 SEPTEMBER 2010 AT COMMITTEE ROOM 3, COUNTY HALL, TROWBRIDGE.

Present:

Cllr Allison Bucknell (Chairman), Cllr Peter Colmer (Reserve), Cllr Rod Eaton, Cllr Mike Hewitt, Cllr David Jenkins, Cllr Francis Morland, Cllr Bill Moss (Reserve), Cllr Jane Scott OBE and Cllr John Smale

37. Apologies for absence

Apologies for absence were received from Cllr John Noeken (who was substituted by Cllr Bill Moss) and Cllr Mark Packard (who was substituted by Cllr Peter Colmer).

38. Minutes of Previous Meeting

Resolved:

To confirm and sign the minutes of the Committee meeting held on 28 July 2010 as a correct record.

39. Declarations of Interest

There were no declarations of interest.

40. Chairman's Announcements

There were no Chairman's announcements.

41. Public Participation

There were no members of the public present.

42. Politically Restricted Posts - Policy Update

Consideration was given to a report by the Service Director, HR & OD which set out changes to the policy on Politically Restricted Posts following the introduction of the Local Democracy, Economic Development & Construction Act 2009.

After discussion,

Resolved: To approve the revised policy on Politically Restricted Posts, subject to the inclusion of a FAQ (frequently asked question) explaining that employees of the Council could stand for election to a Parish/Town Council provided that they stood as Independents and not as a member of a political party.

43. **Trade Union Negotiations**

The Committee considered a report by the Service Director HR & OD which provided an overview of the implications of the financial constraints expected from the Government's spending review which was expected on 22 October 2010.

It was reported that the press had been briefed on these implications on Monday 20 September 2010 and at the same time all Councillors and staff had been sent a message from the Chief Executive setting out this information, a copy of which was circulated at the meeting.

The Committee would be asked shortly to approve new Redundancy, Redundancy Pay and Appointments Policies, currently the subject of consultation with the Trade Unions, after which a management review would be carried out in order to reduce the Council's management costs by the end of the current financial year.

The Committee received the views of the UNISON Branch Secretary, who whilst broadly supportive of the proposals, did express concern about the effect this would have on front line staff.

The Committee also received an update on the re-focussed programme of work on the revised Pay Harmonisation Project. It was noted that this work would now be governed by a new single Staff Management Executive Board, which had replaced the former Pay Harmonisation Steering and Executive Boards. Cllr Colmer requested that consideration be given to extending the Member substitution policy to the Staff Management Executive Board and the Chairman undertook to seek the views of the Board on this suggestion and report back to Cllr Colmer.

Resolved:

- (1) To note the contents of the report.**
- (2) To note that regular updates would be made to this Committee.**

44. **Quarterly Management Reports June 2010**

The Committee received quarterly workforce reports excluding schools for the quarter ended 30 June 2010 concerning:-

Headcount and Full Time Equivalent
Age Profile
Employee Diversity
Sickness Absence
Health and Safety
Voluntary Staff Turnover
Disciplinary and Grievance Cases

Members of the Committee expressed their appreciation of the new format for presenting this statistical information which was considered to be much clearer to understand.

It was reported that as a focus on the wellbeing of existing staff, projects were being undertaken on exit interviews and sickness absence, the outcomes of which would be reported to this Committee in due course.

Resolved:

- (1) To note the contents of the report.
- (2) To request that in future workforce statistics be broken down to show Departmental variations.

45. **Date of Next Meeting**

Resolved: To hold meetings of this Committee as follows in view of the increased workload:-

**Tuesday 12 October 2010, starting at 2.00pm
Wednesday 24 November 2010, starting at 10.30am
Thursday 16 December 2010, starting at 10.30am
Wednesday 12 January 2011, starting at 10.30am
Wednesday 9 February 2011, starting at 10.30am
Wednesday 9 March 2011, starting at 10.30am**

46. **Urgent Items**

There were no urgent items.

(Duration of meeting: 10.30am – 11.55am)

The Officer who has produced these minutes is Roger Bishton, of Democratic & Members' Services, direct line 01225 713035, e-mail roger.bishton@wiltshire.gov.uk

Press enquiries to Communications, direct line (01225) 713114/713115

REDUNDANCY PAY, REDUNDANCY & APPOINTMENT POLICIES

Purpose

1. The purpose of this report is for the Staffing Policy Committee to approve revisions to the redundancy pay, redundancy and appointments policies.

Background

2. At its meeting on 22nd February 2010 the Corporate Leadership Team (CLT) agreed to a revision of the redundancy pay policy. This revision is earlier than agreed by the Implementation Executive (IE) at its meeting on 9th July 2008. At that meeting the IE agreed that the redundancy pay policy would be adopted specifically for redundancies resulting from the local government re-organisation that that it would be reviewed in April 2011.
3. CLT took the decision to review the redundancy policy earlier due to the on-going cost of the redundancy pay policy, and the funding process for redundancies in the transition to one council having come to an end.
4. Since that meeting a revised redundancy pay policy has been developed. The proposed change to that policy has meant that changes are needed to both the redundancy and appointment policies.
5. The redundancy pay policy applies to non-teaching staff in schools that are subject to the National Agreement on Pay and Conditions of Service of the National Joint Council for Local Government Services. Due the processes for dismissal, (including redundancy), and appointments of staff in schools being different to those for staff in the Council the redundancy and appointments policies only apply to Wiltshire Council employees and exclude non-teaching staff in schools.

Current Situation

Redundancy Pay Policy

6. The revised redundancy pay policy is attached (appendix 1). This policy includes a two tier approach to redundancy pay, voluntary and compulsory, and the removal of the facility to opt for augmentation of pension.
7. The inclusion of a two tier approach to redundancy is based on two factors: -
 - By offering more beneficial redundancy pay for volunteers the impact will be less demoralising for the workforce than compulsory redundancy, and therefore less disruptive, provided the right people volunteer.
 - The council will have a better opportunity to agree the early release of staff accepted for voluntary redundancy based on the redundancy pay being significantly more beneficial than compulsory redundancy pay, therefore realising the planned savings sooner.

8. For employees who volunteer, and are accepted for voluntary redundancy, the proposal is for an enhanced redundancy pay arrangement with a multiplier of 2.5 based on statutory weeks, capped at 40 weeks. Essentially this means that the maximum payment will equate to approximately one years salary, net of tax and national insurance.
9. For employees who do not volunteer for redundancy, and are subsequently made redundant, a compulsory redundancy payment will be made. This proposed payment will be based on the minimum that the council can pay, set by the Statutory Redundancy Payment Scheme. Payments are based on the employee's age and length of service (up to twenty years) to determine the number of weeks due, which is then subject to a limit on weekly pay currently set at £380.
10. Following negotiations with the trade unions the council agreed to include minimum payments for both voluntary and compulsory redundancy. This was in response to the trade unions concern for the amount of compensation that would be payable to the lower paid employees. The minimum payments proposed are £3,000 for voluntary redundancy and £1,500 for compulsory redundancy. In both cases these amounts will be pro rata for part time staff.

Redundancy Policy

11. The revised redundancy policy is attached (appendix 2). Because of the two tier approach to redundancy pay changes have been made to this policy.
12. The main changes to the redundancy policy (attached at appendix 2) are:
 - Detailing the policy and procedure for inviting volunteers to apply to be accepted for redundancy. (See paragraphs 22-31)
 - Providing a voluntary redundancy selection matrix for managers to use to ensure employees are selected in a fair and reasonable manner (attached as appendix 3). Guidelines for managers have also been developed to go alongside this matrix.
 - The addition of a manager's toolkit, including guidance on how to apply the policy, which contains:
 1. Template letters
 2. Flowchart detailing the process for both voluntary and compulsory redundancy
 3. Guidance on collective and individual consultation
 4. Meeting record template
 5. Voluntary redundancy application form
 6. Appeals procedure and form
 7. FAQs

Appointments Policy

13. The revised appointments policy is attached (appendix 4). Changes to this policy have been made to reflect the changes to the redundancy pay and redundancy policies, and include:
 - Clarification of the ownership and ring-fence criteria making it clearer and less open to interpretation.

- An amendment that excludes those staff that volunteer, and are accepted for voluntary redundancy, from the ownership/ring-fencing and the redeployment processes.
 - An amendment to the time that an employee will remain within the redeployment pool and be subject to the redeployment process. The employee will enter the redeployment pool once the ownership and ring-fencing process is completed, and will remain in the pool for a maximum period of 3 months or until both the statutory consultation period and their notice period has ended.
 - The addition of a Frequently Asked Questions section (FAQ's) to help in the understanding and application of the policy.
 - The addition of a flowchart and managers toolkit, including guidance on how to apply the policy.
14. All of the revised policies have been put into the new policy format to ensure they are easy to understand and user friendly. The inclusion of the managers' toolkit and guidance where appropriate should support the consistent application of these policies.

Trade Union Negotiations

15. Formal negotiations with the recognised trade unions to reach agreement on the revisions to the redundancy pay, redundancy and appointments policies commenced in July 2010 when the trade unions were invited to attend a series of meetings to discuss and agree changes to the policies. The recognised trade unions for these purposes are UNISON, UNITE & GMB.
16. There have been three meetings with the trade unions during which they have acknowledged the council's financial position and the pressure to change the redundancy pay policy. Progress on reaching agreement on the proposed changes to the policies has been positive. Some changes to both the redundancy and appointments policies were made as a result of issues raised by the trade unions the meetings. These changes are: -
- A change to the procedure to enable staff placed at risk to be given more than one opportunity to volunteer for redundancy while they remain at risk of redundancy.
 - An extension to the amount of time an employee will be given to appeal against an ownership/ring fencing decision.
17. The trade unions have now agreed to the proposed changes to these policies. In the case of GMB will recommend acceptance of these proposals via a ballot of their members.

Communication

18. At the time of writing this report a communication is being prepared to be sent to all staff on Friday 8th October 2010 outlining the proposed changes to the redundancy pay and redundancy policy. This is necessary due to the information being included in the ballot notification to GMB members on the same day, and the need to ensure all staff are informed of the proposals at the same time. UNISON are also preparing to send a statement to their members outlining their position. At the time of writing this report the position with regard to a communication from UNITE is unknown.

Conclusions

19. The inclusion of a two tier approach to redundancy will enable the early release of staff that volunteer and are accepted for redundancy, therefore savings will be realised sooner. This early release, i.e. during the formal consultation process, will only be possible if the voluntary redundancy pay is significantly more beneficial than the compulsory redundancy pay, enabling agreement with the employee to leave with pay in lieu of notice.
20. Those staff who remain displaced following ownership/ring fencing, and who choose not to volunteer, will face compulsory redundancy. In these cases notice will be given at the end of the 12 week formal consultation process, and employees will remain employed for the length of their notice period. This is something the council wishes to avoid.
21. The budget set aside to pay for redundancies from this management review, and for future redundancies needed to achieve the published savings, is based on the redundancy pay policy proposed.
22. Whilst the changes to the redundancy pay policy represent a reduction compared to the current arrangements, in comparison with the redundancy pay being proposed by other local authorities the changes to the Wiltshire Council policy remain fair, and are affordable. This has been acknowledged by the trade unions.
23. The management review aims to reduce the number of management posts in the council by approximately 240 to achieve savings of £8m in this, and future financial years. The achievement of these savings will be difficult if the policies are not in place soon enough to ensure those staff that are redundant as a result of the management review leave by 31st March 2011. The policies must be agreed and in place before formal consultation with staff that will be at risk of redundancy can commence.
24. The trade unions have agreed to the proposed changes to these policies. In the case of GMB this agreement is subject to a ballot of their members.
25. At their meeting on 6th October 2010, the Staff Management Executive Board agreed the revisions to the three policies and recommended their approval by Staffing Policy Committee.

Recommendations

26. To approve the revised proposals in the redundancy pay, redundancy and appointments policies.
27. To note that approval of these policies by Staffing Policy Committee is still subject to the outcome of a member ballot by GMB being in favour of the proposed changes to the policies.
28. To note that these policies cannot be implemented, and the formal consultation period for the redundancies resulting from the management review cannot take place, until the outcome of the GMB ballot is known.

Barry Pirie
Service Director
HR and Organisational Development – Resources

Report Author: Joanne Pitt – Service Head – HR Strategy & Policy

Wiltshire Council Human Resources

Redundancy Pay Policy

This policy can be made available in other languages and formats such as large print and audio on [request](#).

What is it?

This policy explains the entitlements an employee is entitled to receive if:

- They apply for and are accepted for voluntary redundancy; or
- They are dismissed on the grounds of compulsory redundancy

This policy must be read in conjunction with the [redundancy policy](#) which gives information about when voluntary and compulsory redundancy would apply.

Who does it apply to?

This policy applies to all employees apart from teachers appointed in accordance with the Schools Standards and Framework Act 1998 and the Education Act 2002.

Where the redundancy involves chief/statutory officers and deputy chief officers this policy must be read in conjunction with their terms and conditions of employment and Wiltshire Council's constitution.

Employees with less than 2 years service in local government on the date their employment ends will have no entitlement to redundancy pay.

What are the main points

1. The council has two redundancy pay arrangements, one for those employees who apply and are accepted for voluntary redundancy, and one for those employees who do not volunteer and who are subsequently made compulsorily redundant.

Voluntary redundancy

2. If you apply and are accepted for voluntary redundancy the payment will be based on the statutory weeks, used in the calculation of a statutory redundancy payment, multiplied by your normal weekly pay, multiplied by 2.5.

3. This is capped at 40 weeks of your normal weekly pay, with a minimum payment of £3,000 (pro rata for part time staff).
4. You will be provided with the details of your compensation payment and the proposed date on which your employment will be terminated before a final decision is taken by you and the council to accept your application for voluntary redundancy.

Compulsory redundancy

5. If you do not volunteer, and no suitable alternative employment can be found, statutory redundancy pay will apply.
6. This payment will be based on the statutory weeks, multiplied by your normal weekly pay up to a maximum of £380 per week, with a minimum payment of £1,500 (pro rata for part time staff).
7. Statutory payments are capped at 30 weeks, or 20 years service.

What are my responsibilities as a line manager?

8. To ensure redundancy quotes are applied for in good time.
9. To answer any queries about redundancy and pension quotes at individual meetings or refer complex queries to the payroll and pensions teams.

More Information

There are a number of related documents and policies which you should be aware of. These include:

Redundancy
Appointments

Frequently asked questions

Can I apply for augmentation to my pension?

No augmentation to pension will apply.

What is included in a “week’s pay” – will any additional payments I receive be taken into account?

A week’s pay is basic salary plus the following additional payments where applicable: -

Information to be added

What redundancy payment will I be entitled to?

- Use the [ready reckoner link](#) to determine the number of weeks you are entitled to be paid.

For compulsory redundancy

- You should use your normal weekly pay up to a maximum of £380 per week to calculate your payment.
- If the redundancy payment is less than £1,500 (pro rata for part time staff) your redundancy pay will be topped up to that amount.
- Compulsory redundancy payments are capped at 30 weeks. This equates 20 years service.

For voluntary redundancy

- Multiply your entitlement by 2.5 to determine how many weeks pay you will be entitled to.
- You should multiply your weeks entitlement by your normal weekly pay
- A minimum payment of £3000 will be paid.
- A maximum cap of 40 weeks normal weekly pay applies.

What if I volunteer for redundancy and this is rejected, but my post is subsequently made redundant and I am faced with a lower redundancy payment as a result?

If you volunteer, and are turned down for voluntary redundancy, a record of this will be retained. If your post is subsequently redundant as part of the same process of redundancies you will be entitled to a voluntary redundancy payment. However if volunteers are subsequently sought and you do not volunteer you will receive a compulsory redundancy payment if your post is subsequently redundant.

If I volunteer for redundancy and this is accepted but I subsequently change my mind, what can I do?

In making your decision to accept voluntary redundancy you will have been provided with all of the information needed for you to make that decision. If you and the Council have accepted you for voluntary redundancy, then your employment with the Council will end on that basis on the date you will have been given.

I have been employed by the Council for less than 2 years and have no previous local government service. Will I be entitled to redundancy pay?

No. Only those employees with 2 years, or more, service in local government are entitled to a redundancy payment. However if you are redundant you will be issued with appropriate notice of your dismissal.

For further advice

Refer to the [redundancy policy](#) for further information about all aspects of redundancy.

For further information please speak to your supervisor, manager, service director or contact a member of your [human resources advisory team](#).

Policy author	HR Policy and Reward Team (AG)
Policy last updated	13 September 2010

DRAFT

Wiltshire Council Human Resources

Redundancy policy

This policy can be made available in other languages and formats such as large print and audio on [request](#).

What is it?

This policy outlines Wiltshire Council's approach to dealing with staff facing the prospect of redundancy.

Go directly to the section on:

[Consultation](#) and [Notifications](#)

[Voluntary redundancy](#) and [Compulsory redundancy](#)

[Redeployment](#) into suitable alternative employment

[Time off for job hunting](#) and [Employee Assistance Programme](#)

[Notice period](#)

[Redundancy pay](#)

[Dismissal letter](#) and [Appeals](#)

[Annual and banked leave](#)

[Repayment of expenses](#) – relocation, mortgage subsidy and training

[Re-employment by Wiltshire Council](#)

[Line manager responsibilities](#)

[Frequently asked questions](#)

Who does it apply to?

This policy applies to all employees apart from teachers and non teaching staff appointed in accordance with the Schools Standards and Framework Act 1998 and the Education Act 2002.

Where the redundancy involves chief/statutory officers and deputy chief officers (corporate directors and service directors) this policy must be read in conjunction with their terms and conditions of employment and [Wiltshire Council's constitution](#).

What are the main points?

1. Dismissal on grounds of redundancy can only occur if:
 - the business ceases;
 - the employee's normal place of work closes;
 - the number of employees need to do the work reduces because the work required reduces;
 - the number of employees required reduces although the work does not reduce.
2. A redundancy payment can only be paid for dismissals which meet one of the criteria above. It cannot be paid otherwise.
3. Wiltshire Council seeks to avoid redundancies and may adopt some or all of the following measures in order to minimise these:
 - Not filling vacancies within a particular business area.
 - Restricting appointments where a vacancy may provide suitable alternative employment for an employee facing dismissal.
 - Restricting the amount of overtime working.
 - Restricting the engagement of agency staff.
 - Consideration of alternative working arrangements (e.g. job share, part time working).
 - Reviewing the use of those staff employed on a temporary basis (i.e. agency) pending a review of the structure or service.
4. Where, despite these measures being adopted, redundancies are required it is the council's preferred approach to consider applications for voluntary redundancy before making compulsory redundancies.

Consultation

5. When considering reductions in staffing levels the views of both relevant trade unions and employees will be sought.
6. Consultation should include discussion on ways of
 - avoiding dismissals;
 - reducing the number of employees to be dismissed;
 - mitigating the consequences of any dismissals;
 - selection criteria;with a view to reaching agreement.
7. Consultation must take place at the earliest opportunity, even where any redundancies will be made on a voluntary basis.
8. Consultation must take place irrespective of whether or not employees are members of the recognised trade unions, or whether they have less

than 2 years continuous service and therefore do not qualify for redundancy pay.

9. Consultation would normally begin 90 days before the first dismissal is made, regardless of the number of redundancies to be made. In any event it must meet the statutory minimum periods set out below:

Number of redundancies proposed within a 90 day period	Consultation must begin
Up to 19	No statutory minimum period
Between 20 and 99	30 days before first dismissals
100 or more	90 days before first dismissals

The number of proposed redundancies that should be taken into account come from across Wiltshire Council as a whole organisation, not just within one service area or directorate.

10. There must be sufficient meaningful consultation before notices of dismissal are sent to employees, i.e. there must be time for the union representatives who are consulted to consider properly the proposals being made and to formulate constructive responses.
11. The selection pool will be limited to those affected within the team or section where any re-structure is taking place.
12. Consultation with employees should take place at two levels, collective and individual. Employees away from work e.g. on maternity leave and sick leave must also be included in the consultation process.
13. Collective consultation involves having a meeting with a group of affected staff. See ["Guidance on holding a collective consultation meeting"](#).
14. Individual consultation offers the employee an opportunity to discuss their own situation and raise any concerns – see ["Guidance on holding an individual consultation meeting"](#)
15. An [individual consultation meeting record form](#) should be completed at all individual meetings.
16. A representative from the human resources advisory team should be invited to attend both collective and individual consultation meetings.

17. Trade union representatives should be invited to attend collective meetings.
18. Employees have the [right to be accompanied](#) by a trade union representative or work colleague at individual consultation meetings.

Notifications

19. Wiltshire Council is a single employer in law. As such it is essential that the service director of human resources and organisational development is informed about the timing and content of any redundancy consultation to ensure that we submit accurate [HR1 information](#) to the Secretary of State.
20. Prior to consultation the human resources advisory team will be responsible for sending [formal notification](#) to the trade union.
21. All employees at risk of redundancy will be issued with a letter at the start of the consultation process confirming their status.

How does this policy apply to me?

Voluntary redundancy

22. As part of the consultation Wiltshire Council will consider volunteers for redundancy. Applying for voluntary redundancy does not automatically mean you will be accepted.
23. Applications for voluntary redundancy will be invited at the start of the consultation period during the collective consultation meeting and the option will be discussed during individual consultation meetings.
24. A further opportunity to apply for voluntary redundancy will be discussed with you later in the consultation process if you have not matched to a job via ownership or ring fencing, or if no suitable alternative employment is identified.
25. You will be provided with a redundancy and pension quote based on an estimated end date.
26. It is your responsibility to check the information contained within this quote and raise with your manager any concerns or errors that you believe have been made.
27. If, having received this quote, you wish to be considered for voluntary redundancy you must complete the [application for voluntary redundancy](#).

28. A [matrix of selection criteria](#) will be used to determine whether your application for voluntary redundancy is accepted and you will be notified of the decision [in writing](#).
29. If you are selected for voluntary redundancy you will have the opportunity for a final consultation meeting and a consideration period of no less than 5 working days prior to being issued with a notice of dismissal on grounds of redundancy.
30. If you are not selected for voluntary redundancy you have the right to appeal within 5 working days of receiving confirmation of the decision.
31. Your application will be reviewed by an independent manager and you will be informed of the outcome within 10 working days of your appeal being received.

Compulsory redundancy

32. Having taken into account voluntary redundancies the manager will assess their structure and go through the ownership/ring fencing process as laid out in the [appointments process](#).
33. If you are matched to a job via ownership or ring fencing you will be informed that you are no longer at risk.
34. If you are not matched to a role via ownership or ring fencing you will be notified of the decision [in writing](#) and placed in the redeployment pool. You will have the opportunity to appeal in line with the [appointments process](#).
35. At this stage a further opportunity to apply for voluntary redundancy will be discussed with you.
36. Wherever possible you will be redeployed to a suitable alternative role in line with the [redeployment procedure](#).
37. At the end of the consultation period if you have not
 - applied for voluntary redundancy; or
 - been matched to a role via ownership or ring fencing; or
 - found a suitable alternative role via the redeployment procedure;

you will be issued with a notice of dismissal on grounds of compulsory redundancy.

Time off for job hunting

- 38. If you have been given notice of dismissal on the grounds of redundancy you are entitled, during the period of notice, to reasonable time off with pay to look for other employment or to arrange training for future employment.
- 39. You should always check with your manager that it is operationally viable for you to take time off before you arrange or confirm an appointment.
- 40. If you accept an alternative role, either with Wiltshire Council or with a public authority within the [Redundancy Payment Modification Order](#), to start up to or within 4 weeks of termination of employment on grounds of redundancy you will have no entitlement to a redundancy payment.

Employee Assistance Programme (*we will be tendering for a new provider)

- 41. The employee assistance programme offers practical help and personal guidance regarding wellbeing, job search skills, careers guidance, financial benefits, and training opportunities etc. Details will be provided as part of any consultation.

Notice period

- 42. If employment is terminated on the grounds of redundancy you will be entitled to a period of paid notice.
- 43. The period to which you are entitled is whichever is the greater of either the contractual period specified in your statement of particulars or the statutory period shown below:

Period of continuous employment	Notice period
One month or more but less than two years	1 week
Two years or more but less than twelve years	1 week for each completed year of continuous employment
Twelve years or more	12 weeks

- 44. Previous service with any public authority to which the [Redundancy Payment Modification Order](#) applied will count towards length of service for notice periods, providing that all service has been continuous.

45. Wiltshire Council reserves the right to pay employees in lieu of notice.
46. Pay in lieu of notice will amount to the net pay which otherwise would have been payable if the appropriate period of notice had been served.

Redundancy pay

47. The council has two redundancy pay arrangements, one for those employees who volunteer, and are accepted for, voluntary redundancy and one for those who are made compulsorily redundant. Full details can be found in the [redundancy pay policy](#).
48. If you resign prior to being selected for redundancy or once the notice of dismissal has been issued no redundancy payment will be made.

Letter of dismissal

49. A [standard letter](#) of dismissal should be issued where employment is being terminated on grounds of redundancy.
50. This letter must be issued by the Chief Executive or a nominated manager authorised for that purpose.

Appeals

51. You have the right to appeal against termination of your employment on grounds of compulsory redundancy. See the [appeals procedure](#) for further information.

Annual leave

52. If you have been given notice of dismissal on the grounds of redundancy you will be expected to use any annual leave entitlement, accrued up to the end date of employment, during your notice period. If this is not possible you will be entitled to payment in lieu of untaken leave entitlement.
53. Any annual leave taken or authorised to be taken before notice is issued, and which exceeds the entitlement at the date of termination of employment, will not be recovered.
54. Any leave which has been “banked” in accordance with the [annual leave policy](#) may either be taken during the notice period or will be paid.

Repayment of expenses

55. Where employment is terminated on grounds of redundancy you will not be required to repay any:
- monies received under the moving home allowance scheme;
 - mortgage subsidy payment;
 - training expenses.

Re-employment by Wiltshire Council

56. If you were dismissed on redundancy grounds you may be considered for re-employment to posts within Wiltshire Council after the minimum statutory period of four weeks has elapsed subject to the following conditions:
- The post did not exist or was not foreseeable at the time of the dismissal.
 - The vacancy has been advertised in accordance with Wiltshire Council policy and procedures.
 - The appointment was made on the basis of the best person for the job with regard to the usual selection procedures.
 - The appointment has corporate director approval.

What are my responsibilities as a line manager?

57. To work with your HR business partner to plan any organisational changes which may include redundancies.
58. To produce accurate projections of numbers of redundancies within your service area, considering both short and long term requirements.
59. To issue appropriate letters at each point within the process, using the template letters provided, and to send a copy of these letters to your HR advisor.
60. To conduct collective and individual consultation meetings with appropriate support from your HR advisor.
61. To ensure that at individual consultation meetings, and prior to ownership or ring fencing taking place, any ex-district staff who are subject to TUPE regulations are aware of their Wiltshire Council evaluated grade.
62. To complete the selection criteria matrix to determine whether voluntary applications can be accepted.
63. To ensure that the [consultation timeline](#) is met.

Definitions

Redundancy Payment Modification Order

This sets out which organisations are “associated employers”. If you move from one associated employer to another you carry with you continuous service. This is important when calculating redundancy payments.

It is also important as, if you take up employment with another associated employer either whilst at risk of redundancy or within 4 weeks of being made redundant you would not be entitled to any redundancy payment.

For further information about which organisations are “associated employers” look at this page on the [LGE website](#) or contact your human resources adviser.

More Information

There are a number of related documents and policies which you should be aware of. These include:

Redundancy Pay
Appointments
Annual Leave
Redundancy Payment Modification Order

Frequently Asked Questions

I volunteered for redundancy but my application was turned down. If my post is subsequently made redundant what package will I receive?

If you completed a formal application for voluntary redundancy and are turned down a record of this will be retained.

If your post is subsequently made redundant as part of the same process of redundancies you will be entitled to the voluntary redundancy payment.

However if volunteers are subsequently sought, either as part of the same or a future redundancy process, and you do not volunteer you will receive a compulsory redundancy payment if your post is then made redundant.

I volunteered for redundancy but now want to change my mind – what should I do?

In making your decision to accept voluntary redundancy you will have been provided with all of the information needed to make that decision and it is

expected that employees will have taken all the advice required in order to make a firm decision.

If your circumstances have changed you would need to speak to your manager as soon as possible to discuss your options.

I volunteered for redundancy but have now applied for another role within a different area of the council – will I still get my redundancy payment?

No. If you secure alternative employment either within the council, or another organisation where you would retain your continuous service, you will not be eligible to receive a redundancy payment.

This applies if your start date in the new role is before or within 4 weeks of the date of dismissal on grounds of redundancy.

I applied for voluntary redundancy but my application has been turned down. Can I appeal?

Yes – you must appeal in writing to your manager within 5 working days of receiving the decision, stating the reason that you believe your application for voluntary redundancy should have been accepted.

You are entitled to see your own selection matrix scores, however you will not have access to the scores of other employees.

Your application, together with your appeal letter, will be reviewed by an independent manager and you will be informed of the outcome within 10 working days of your appeal being received.

The time scales for submitting appeals are very tight – what happens if I am unable to meet them?

It is important that, wherever possible, you submit your appeal with the time period specified.

However in exceptional individual circumstances, where it is not possible to meet these timescales, an extension may be granted.

For example:

- If you are sick or unable to attend work;
- If you are unable to arrange a meeting with a union representative within the time period;
- where you are seeking further information regarding your Wiltshire Council evaluated grade.

Who will decide whether I am accepted for voluntary redundancy?

Decisions about who is accepted for voluntary redundancy are based on a [selection criteria matrix](#).

As part of the application process employees will be asked to score themselves on each of the criteria.

Wherever possible this matrix will also be completed by two managers with knowledge of the employees, one of whom should be their line manager. Each manager will score independently and then meet to discuss their results in conjunction with the scores supplied by the employee.

If this is not possible due to the team structure the line manager will score each employee and these scores will be ratified by a senior manager within the department.

A meeting will be arranged with each employee to discuss the outcome of the scoring exercise and to confirm whether or not they have been accepted for voluntary redundancy. You are entitled to see your own selection matrix scores, however you will not have access to the scores of other employees.

Can I leave early and not work my notice?

You can seek to waive a period of notice. Your Service Director will need to agree this. If it is agreed, the period of notice will be paid to the new revised date of termination of employment and financial benefits (such as redundancy payment and pension) will be calculated from the date on which employment ceases.

The following conditions must apply in order for a redundancy payment to still be made:

- Wiltshire Council must have informed you in writing of the date you will be made redundant;

and

- Wiltshire Council must agree to the premature termination of your employment and agree in writing to bring forward the date of your dismissal for redundancy.

I have a car loan – do I have to pay it back if I am made redundant

Car loans should be repaid in full by an employee on the termination of their employment on grounds of redundancy. The outstanding amount would usually be deducted from your redundancy payment.

However you may request for repayment of the loan to be deferred, subject to the agreement of the finance service director. In any such arrangement:

- Your department would have to agree to underwrite the debt pending full repayment.
- Interest will be charged on the loan based on the Lloyds Bank base rate. The interest rate applicable to loans under the original assisted car purchase scheme will not apply.
- If repayment is made through deductions from the Wiltshire Council pension there will be no additional charge. If repayment is made by standing order or direct debit a small service charge will be applied.

I have a lease car – what happens to this arrangement if I am made redundant?

In the first instance you should contact the procurement team. They will look at whether it is possible to transfer your lease to another employee.

If this is not possible then they will make arrangements for the lease car to be returned and the council will bear the cost of any penalty connected with ending the arrangement early.

I am currently on maternity leave – what are my rights and will I have to repay any money if I am made redundant?

You have the same right to be consulted as any other employee and should be invited to attend any collective consultation meetings which take place and offered an individual consultation meeting at a mutually convenient time and location.

If you apply for voluntary redundancy, or are made compulsorily redundant, you would not be asked to repay the 12 weeks of half pay if you were entitled to claim this. If you requested to defer the payment of this money until the end of your maternity leave it will be paid to you in your final salary payment.

Appendix 3

Voluntary redundancy selection matrix

Note to manager: Complete **Part 1** first. If the answer to all 4 questions in part 1 is “NO” there is no need to complete part 2.

Award points as follows:	Points
Below the acceptable standard (or No)	0
Partially meets the standard	5
Fully meets the standard	7
Exceeds the standard (or Yes)	10

Completing Manager(s)	
Name of employee	
Job title	
Section	

PART 1

CRITERIA	POINTS	RATIONALE
<p>Re-structures:</p> <ul style="list-style-type: none"> - Is it likely that this jobholder will have ownership or ring-fenced prior consideration for a post in the new structure? - Is there likely to be the potential for this jobholder to be redeployed to a vacancy within the new structure? 	<p>Yes (10 points) or No (0 points)</p> <p>Yes (10 points) or No (0 points)</p>	
<p>Practicality for the department:</p> <ul style="list-style-type: none"> - Is it likely that future service delivery would be affected by the loss of this individual? - Does this individual have key skills and experience that the council needs to retain? 	<p>Yes (10 points) or No (0 points)</p> <p>Yes (10 points) or No (0 points)</p>	

Appendix 3

PART 2		
CRITERIA	POINTS	RATIONALE
<p>Is the employee currently paid the Wiltshire Council evaluated rate for the job they do? (“No” will apply to employees who are currently receiving pay protection and those who are currently on TUPE’d pay which is above the Wiltshire Council evaluated rate for the job.)</p>	<p>Yes (10 points) or No (0 points)</p>	
<p>Absence for last year (attach SAP record): Days _____ Occasions _____</p> <p>Is any absence related to a disability under the DDA, if so specify and do not consider.</p>	<p>None (10 points)</p>	
<p>Does the employee have a clear conduct record?</p>	<p>Yes (10 points) or No (0 points)</p>	
<p>Client / Customer Focus:</p> <ul style="list-style-type: none"> - recognises the importance of the client /customer - demonstrates good client/customer care - deals with client/customer queries or complaints promptly and efficiently 		

Appendix 3

CRITERIA	POINTS	RATIONALE
<p>Adaptability:</p> <ul style="list-style-type: none"> - recognises the need for flexibility and is willing to adapt to change - has the ability to undertake duties other than those normally carried out 		
<p>Attitude</p> <ul style="list-style-type: none"> - has a positive attitude about the service and the organisation - has effective relationships with colleagues - displays suitable behaviours when dealing with colleagues - supports the culture of the council 		
	<p>Total Points: (Part 1 + Part 2)</p>	<p>Comments:</p>

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Wiltshire Council Human Resources

Appointments Policy and Procedure

This policy can be made available in other languages and formats such as large print and audio on request.

What is it?

The appointments policy and procedure provides information for managers on how to recruit to vacant posts.

It also provides a process to ensure that employees facing redundancy and service redesign are provided with an opportunity to be matched to suitable vacancies before these are advertised.

Go directly to the section on:

[Recruitment procedure](#)
[Frontline](#) and [specialist](#) positions
[Service redesign](#)
[Ownership of a post](#)
[Ring-fenced prior consideration](#)
[Appeals against ownership or ring-fence](#)
[Redeployment](#)
[Line manager responsibilities](#)
[Frequently asked questions](#)
[Toolkit](#)

Who does it apply to?

This policy applies to all employees apart from teachers and non teaching staff appointed in accordance with the Schools Standards and Framework Act 1998 and the Education Act 2002.

Where the appointment involves chief/statutory officers and deputy chief officers (corporate directors and service directors) this policy must be read in conjunction with their terms and conditions of employment and [Wiltshire Council's constitution](#).

What are the main points?

Recruitment procedure

1. Managers will need to gain authorisation for recruitment to all positions by completing the [approval to recruit form](#) and forwarding it to their corporate director who will consider the request. This includes secondments, the use of temporary agency and consultancy staff.
2. If the role is non-managerial, corporate directors are able to decide whether you are able to recruit.
3. If the role is managerial, corporate directors will consider the request and forward on to the chief executive for a decision.
4. If the role is already being performed by an employee on a temporary contract of employment (issued by either a Wiltshire District or County Council, or Wiltshire Council), this role may now be made permanent (subject to the approval above).
5. Temporary employees may be appointed to the permanent role as long as appointment to the temporary vacancy was via a competitive process i.e. the vacancy was advertised and the employee was taken through a recruitment and selection process.
6. Once approval to recruit has been given the [advert request form](#) should be completed and forwarded to the recruitment team.
7. The recruitment team will check if there are any employees in the redeployment pool for whom this post could be considered suitable alternative employment. These candidates will need to be interviewed first as they will have prior consideration.
8. If recruitment from the redeployment pool is not possible an **internal** advert will be placed, inviting applications from all employees whether on temporary or permanent contracts. There are some exceptions to this as detailed below:

Frontline positions:

- Recruitment to a position providing services directly to the public may be advertised externally without the need to advertise internally first. Some examples include: -
 - Social Worker
 - Refuse Loader
 - Leisure Assistant
 - Occupational Therapist

Specialist positions:

- Recruitment to a position of a specialist nature where the skills, knowledge, experience and qualifications are unlikely to be available within the council, may be advertised externally without the need to advertise internally first.
9. If an appointment cannot be made internally, the job will be advertised externally.

Service redesign

10. During a process of service re-design that involves a re-structure that may affect your job, as an employee you will be subject to a period of statutory consultation, and this may include you being invited to volunteer for redundancy. Please see the redundancy policy and procedure for further information.
11. Where you volunteer and are accepted for redundancy as a result of service re-design you will not be subject to the ownership/ring-fenced/redeployment processes detailed below.
12. If the section, team or department is undergoing service redesign which may include a re-structure that may affect your job role, and you do not volunteer for redundancy, you will be considered for a vacancy on the following terms:

Ownership of a post

13. As an employee you will be granted ownership of a post in a new structure when it is the same as your current post and the number of post holders meeting the criteria below is the same as or less than the number of jobs available. Ownership must meet the following criteria:
- If you are a Wiltshire Council employee, the grade for your current post and new post must be the same
- OR
- If you are an employee who is currently employed on a contract which TUPE transferred from another organisation (e.g. District Council), the Wiltshire Council grade for your current post must be the same as the new post. (You will be issued with details of the Wiltshire Council grade as part of the ownership assessment)

AND all of the following:

- your current post and the new post have the same duties and responsibilities outlined in the job description or job evaluation questionnaire

- your current post and the new post have the same skill, knowledge or experience mix
 - your current post and the new post have the same working patterns and work locations
14. If ownership is established you will be appointed on the following terms:
- if you were previously employed by the County Council or appointed by Wiltshire Council since 1 April 2009 you will be appointed on your existing grade and pay
 - if you are an employee who is currently employed on a contract which TUPE transferred from another organisation (e.g. District Council), your employment will continue on your existing pay and terms and conditions. For further information about employment on TUPE terms and conditions you should access the [FAQs on pay harmonisation](#).

Ring-fenced prior consideration

15. As an employee you will be ring-fenced to apply for a post in a new structure when it is the same as your current post but the number of post holders meeting the criteria is **more** than the number of jobs available.
16. In order to be ring-fenced for a post you must meet the criteria set out as above for ownership of a post.
17. You will be required to participate in a formal selection interview and if successful will be appointed according to the terms above.

Appeals against ownership or ring-fence

18. You may appeal in writing against an ownership or ring-fence decision if:
- you have been appointed to a post which is not the same as your existing post
 - you have **not** been selected through ownership or ring-fence for a post despite it being the same as your existing post
 - you are an employee who is currently employed on a contract which TUPE transferred from another organisation (e.g. District Council). This includes appeals against the Wiltshire grade for your post that prevents your selection through ownership or ring fencing.

19. You should submit your appeal in writing by completing the [appointments policy appeals form](#) including evidence (such as the JEQ for your existing post) within a maximum of 10 working days of the ownership decision to the manager responsible for the ownership selection process. This timescale will apply in a majority of cases however in exceptional circumstances the service director (or their senior if applicable) responsible for considering the appeal may agree an extension.
20. Your written appeal will be considered by a service director (or their senior if applicable), HR representative and a union representative.
21. The outcome of your written appeal will be determined within 10 working days of its submission and you will promptly be notified of the outcome.
22. If your written appeal includes an appeal against the Wiltshire Council grade for your post (for ex-District employees) this will need to be considered before the ownership decision can be reviewed. This may result in a longer period before the appeal can be determined and an outcome notified to you.
23. There is no further right of appeal against the decision.

Redeployment:

24. The redeployment pool is those employees who are facing risk of termination of employment, and includes employees who are at risk from compulsory redundancy and termination on the grounds of ill health (in line with the absence management policy).
25. Employees who are granted voluntary redundancy will not be placed in the redeployment pool.
26. If you are not allocated a post through ownership or ring-fencing, prior consideration or your job is removed or substantially changed, you will be:
 - issued with an At Risk notice
 - the subject of statutory consultation
 - if no suitable alternative employment is found, issued with notice of termination of employment following the statutory consultation period.
27. During the period of consultation and notice you will be subject to the redeployment process. This will normally be for a maximum of 3 months in order to allocate suitable alternative employment. You will be asked to complete a form to supply the broad nature of your work, your current work location, possible alternative work location, current

working hours and arrangements and possible working hours and arrangements.

28. The recruitment team will identify potential suitable alternative employment opportunities from the vacancies.
29. Your manager in conjunction with their HR advisor will assess whether a vacancy may constitute suitable alternative employment taking into account reasonable adjustments. You will be matched against a post based upon factors such as the similarity of:
 - job duties and responsibilities
 - knowledge, skill and experience
 - job grade, one grade above or one grade below (for ex-district council employees it is the Wiltshire grade for your post that will be used)
 - working hours and time
 - location
30. You will be selected following a recruitment interview based upon your capability to perform the job and you will not be expected to be at peak performance on the first day. As part of this process the recruiting manager will complete an [interview assessment form](#) . This contains the interview questions and the agreed weighting for each area of the person specification.
31. The recruiting manager will complete [a redeployment appointment form](#) for each candidate (both successful and unsuccessful).
32. If you are successful, the recruiting manager will complete the [redeployment starter form](#) and forward to your HR business partner who will arrange for a suitable alternative employment letter and contract if required to be sent to you.
33. You will be subject to the statutory right to training and a trial period of 4 weeks that can be extended to three months by mutual agreement to enable re-training and familiarisation with job requirements.
34. If the trial period is unsuccessful by mutual agreement you will be placed back in the redeployment pool for other suitable alternative employment within the maximum 3 month period.
35. If you fail to engage with the redeployment process, you are at risk of forfeiting any redundancy compensation.
36. If despite these measures, no suitable alternative employment is found you will be given notice (according to your individual contract) that your employment will cease on the grounds of compulsory redundancy. In exceptional circumstances and by mutual consent, the individual

contractual notice period may be shortened for which payment in lieu will be made.

37. You have the right of appeal against a decision to terminate your employment. Your appeal should be submitted and will be heard in accordance with Wiltshire Council's appeals policy and procedure.

What are my responsibilities as a line manager?

26. To apply this policy fairly and consistently ensuring that suitable appointments are made to vacant posts and posts within a new structure including:
- Considering alternative options to recruiting such as the use of temporary contracts, acting up opportunities, redistributing work within the team and restructuring.
 - Recruiting only to posts that have been approved by a corporate director (non-managerial roles) and the chief executive (managerial roles).
 - Considering all suitable employees for ownership of a post within the new structure applying the criteria stated above and the [ownership grid](#) provided.
 - Considering all suitable employees for ring-fenced prior consideration (taking into account reasonable adjustments) for a post within the new structure applying the criteria stated above.
 - Providing information on available vacancies to employees in the redeployment pool that do not have PC access.
 - Conducting selection interviews in accordance with the recruitment and selection guidelines.
 - Retaining detailed notes of all discussions with employees to support any decisions made. Copies should be forwarded to HR to be retained on the employee's personnel record.

More Information...

There are a number of related documents and policies which you should be aware of. These include:

Redundancy
[Recruitment and Selection](#)

For further advice

For further information please speak to your manager, corporate director or contact a member of your [human resources advisory team](#).

A [toolkit](#) has been provided for further information

Policy author	HR Policy and Reward Team – (Initials)
Date last updated	DD-MM-YYYY

FAQs...

1. If I am in the redeployment pool and I accept a lower paid post as suitable alternative employment will my pay be protected?

If a lower paid post is accepted as suitable alternative employment, protection of base pay will apply for 3 years. This applies where the post is one grade below (for ex-district council employees it is the Wiltshire grade for your post that will be used). Existing base pay will be frozen and will not be subject to incremental or national pay awards. Wiltshire Council terms and conditions will apply.

2. If the service is restructured and I apply for or I am redeployed to a new position, will I remain on my existing terms and conditions?

You will be appointed on Wiltshire Council terms and conditions

3. What is the redeployment pool?

The redeployment pool is those employees who are facing risk of termination of employment. This enables you to be given prior consideration to be matched to suitable alternative employment. If no suitable alternative employment is identified either by you or the council you will be given notice and employment will cease on the grounds of compulsory redundancy.

4. If I am in the redeployment pool, how will I be matched against a vacancy?

All vacancies will be checked against employees in the redeployment pool for suitable alternative employment opportunities. Suitable employment opportunities will be based on the following criteria:

- job duties and responsibilities
- knowledge, skills and experience
- job grade one grade above or one grade below (for ex-district council employees it is the Wiltshire grade for your post that will be used)
- working hours and time

- location

You are also responsible for identifying suitable alternative employment opportunities from the vacancies advertised (excluding schools).

Vacancies can be accessed via <http://jobs.wiltshire.gov.uk> or by contacting HR.

5. I am facing redundancy, what support will Wiltshire Council provide?

You will be placed in the redeployment pool and given prior consideration to be matched to suitable alternative employment. You are also responsible for identifying suitable alternative employment opportunities from the vacancies advertised.

Wiltshire Council will also seek to support your needs which may include:

- support in the period leading to the termination through counselling/coaching
- providing practical support in the search for employment including IT skills and other relevant training
- providing financial advice

For further information please see the [employee assistance programme](#)

6. I am facing redundancy, what do I need to do?

Whilst you are in the redeployment pool you will also be responsible for identifying suitable alternative employment opportunities from the vacancies advertised.

You should also be responsible for your personal development such as identifying suitable training that will help in your redeployment.

7. I am one of several employees on Wiltshire Council temporary/fixed-term contracts performing the same role. One of the posts is to be made permanent. Will I be appointed to that post?

All temporary/fixed-term employees performing the same role in your team will be invited to apply for the permanent vacancy and there will be a competitive process to select the successful candidate. If no-one is appointed to the post it will be available for employees in the redeployment pool and then advertised in the normal way.

8. I am an ex-District employee, how will I know the Wiltshire Council evaluated grade for my post?

You should be informed of the Wiltshire Council grade for your post at the beginning of the consultation and ownership process. Please ask your manager for this information if it is not made available to you.

9. What if I am unable to submit my appeal against an ownership decision within the maximum 10 days time period?

If this timescale is not possible you should inform the manager responsible for the ownership selection process as soon as possible, giving details of why you are unable to meet this timescale. In exceptional circumstances the service director (or their senior if applicable) responsible for considering the appeal may agree to extend the timescale for you to submit your appeal. If agreement is given you must obtain written confirmation of this. Exceptional circumstances may include absence due to sickness or annual leave.