

Fair selection for redundancy: HR guide

Introduction

In this guide on **fair selection for [redundancy](#)** I cover identifying the pool, bumping, the selection criteria and scoring.

Generally, employees who have at least two years' continuous service with their employer have the right not to be [unfairly dismissed](#).

As part of the requirement to follow a fair redundancy process, employers may be required to carry out a fair selection process.

If an employee is doing a specific unique role and it is proposed to delete that role it may not be necessary to carry out a selection process. However, when employees are doing the same or similar roles and there is, for example, a headcount reduction a selection process will normally be required.

Identifying the pool

First, it is necessary to identify the appropriate pool of employees from which the **selection** will be made.

Where the duty to carry out [collective consultation](#) arises, details of the proposed method of selecting employees must be provided in writing to the appropriate representatives, as part of the requirement to provide information.

In establishing the pool it is necessary to assess factors such as what work is ceasing or reducing, whether the employees are doing the same or similar roles and whether the employees' jobs are interchangeable.

Bumping

Bumping is when an employer bumps a potentially **redundant** employee into another role and then dismisses the employee doing that other role. It could include offering an employee in a senior position a junior position and bumping the other person. It could even include transferring an employee to a different type of role.

There is no mandatory legal requirement for bumping but it may be appropriate in certain cases.

Selection criteria

The selection criteria should as far as possible be objective rather than subjective.

Criteria could, for example, include: performance and skills (which are often split into subcategories based on previous appraisals and/or an assessment at the time of the selection); attendance records (but absences for certain periods such as maternity/paternity leave or disability-related absence should be discounted); and disciplinary records.

It is common to give different weightings to the criteria so, for instance, performance and skills could have a higher weighting.

Scoring

Individuals should be given an opportunity to see their scores and understand how their scores have been reached as well as being given an opportunity to challenge their scores.

Ultimately, the key question will be whether the selection process was fair. Other matters relating to fairness include consultation and searching for [suitable alternative roles](#).

This guide is intended for guidance only and should not be relied upon for specific advice.

If you need any advice on **redundancy** or have queries relating to other employment law issues please do not hesitate to [contact](#) me on [020 3797 1264](tel:02037971264).

Do check mattgingell.com regularly for updated information.