COLLECTIVE REDUNDANCIES: CONSULTATION ON CHANGES TO THE RULES

Acas welcomes the opportunity of responding to the Government’s consultation on changes to the rules relating to collective redundancies. As we pointed out in our response to the recent call for evidence on this topic, Acas has considerable experience of advising organisations on handling collective redundancies, particularly so in the last few years.

Whatever changes may be made to the legislative framework surrounding collective redundancies it is our belief that good quality guidance is vital in ensuring that all situations involving redundancies, including large scale, are handled as effectively and sensitively as possible. Our reply to your earlier call for evidence outlined some of the positive advantages of engaging in productive discussions regarding redundancy situations and to the fact that the length of the consultation period can vary considerably depending on the circumstances of the redundancy. We therefore welcome the Government’s proposal to introduce a new detailed guidance on the subject. As you will know Acas already produces a range of guidance on redundancy handling and consultation.

The sorts of issues you see the code covering, as set out in the consultation document, all seem sensible and we feel that providing guidance on these would go a long way towards helping parties get a better understanding of how to deal with collective redundancies when they arise. We note that the consultation document refers to the new code being non statutory. The guidance in existing employment codes, such as the Acas code on discipline and grievance or the government’s code on picketing, are admissible in relevant court or tribunal claims. If ’non statutory’ indicates that the contents of the code on redundancies would not be so admissible then this would need to be very clearly spelt out or, alternatively, the word code should be replaced by some other term such as guide or guidance.

I hope you find these comments helpful.

Yours sincerely

Ed Sweeney