**Redundancy selection criteria**

**Handling Selection Matrix**

If your business is in the unfortunate situation where it must make redundancies, then part of the process includes how to select employees for dismissal.

This is a difficult aspect of the redundancy process and one you must approach fairly. And, ultimately, you want to keep the most important employees on in your role. So you must choose wisely, too.

We can help with any of your requirements during this time, especially if you must make dismissals due to coronavirus-related outcomes.

We can help you consider alternatives.

However, if you feel you must go ahead, then you can read the rest of this guide.

**What is a redundancy selection procedure?**

This is a process where you use a system to determine which employees will face dismissal from your business.

There’s no set method to approach for this, but there are common ways businesses determine who to let go.

For example, many will choose a points-based system—it involves establishing a score over a set of criteria you choose (we explain this further below).

Ultimately, and as difficult as it is, you must decide on members of staff to dismiss. And your procedure will help you do this.

The reasons for redundancy selection are simple—taking these steps provides a proven approach to ensuring you choose employees fairly and based on sound reasoning.

If you don’t follow a selection process, and simply choose employees at random, that can result in major legal consequences—such as a Workplace Relations Commission claim.

So, you must follow thorough steps to ensure you make dismiss the right individuals.

**The steps for making a selection**

Selecting employees for redundancy is usually based on objective criteria—a set of pointers that help you to determine the qualities each member of staff brings to your business.

In most cases, you’ll base this criteria an employee’s overall abilities.

Below are some selection criteria examples to help you understand the type of areas to score:

* Work quality.
* Attendance record (excluding absences due to disability, illness, or pregnancy).

* Disciplinary record.

Many businesses will then use a redundancy selection scoring system to add up what each employee adds to your annual productivity.

The higher the score, the less likely they’ll face dismissal.

Obviously, if they have a lower score then this can determine their adding to the selection “pool”. From which you’ll, ultimately, make your final decisions.

You’ll need to consult with your selected employees over their future. And this may include discussing your scoring system—and their individual scores.

So, you should be ready to provide explanations for why you have provided a certain score.

**How to have a fair redundancy selection**

It’s essential to explain one of the most important parts of the process—you *must* remain fair. The consequences for not doing so we explain further below.

Simply put, you should aim to make your criteria are:

* Practicable.
* Objective.
* Job-related.

Your approach should remain non-discriminatory and you should also be impartial throughout the process.

To do so, you can make sure your selections are:

* Clear and well documented—they should address the reasons why your business must make dismissals.
* Have supporting evidence to provide justifiable reasons for an employee’s score. Remember, they have the right to see the points you awarded them.
* Ensure you’re consistent in your process.

It’s important to remember that you can remain fair throughout, but an employee may still make a grievance complaint.

This is why it’s important to back up your decisions with evidence, supporting documentation, and justifiable reasons.

Remember to keep detailed records throughout so you can provide supporting evidence at a later date.

**How to avoid an unfair redundancy selection process**

Dismissing employees is always fraught with difficulty due to the nature of employment laws.

You must follow a thorough and fair process—and even if you do your best, you may still make costly errors.

When redundancy selection is unfair depends on your actions, such as if:

* You don’t have a process.
* You do have a process, but there isn’t enough justifiable information.
* You don’t have a criteria and choose staff without good reason.

There are also other reasons for an unfair selection for redundancy. Under the Employment Equality Act 1998 – 2005 you must not discriminate or treat staff less favourably.

So, you can’t choose employees to dismiss based on:

* Civil status.
* Religious beliefs.
* Family status.
* Sexual orientation.
* Membership of the Traveller community.

Particular care needs to be taken if employees are taking Maternity Leave soon. If it looks like you made the employee redundant because they're taking maternity leave, that’s grounds for discrimination.

And it can result in a claim for unfair dismissal, as well as an expensive discrimination claim under employment equality legislation.

You also shouldn’t choose an employee as they’re “shielding” (remaining indoors due to moderate or high risk) during the coronavirus pandemic.

The disability ground in the employment equality legislation covers a wide range of illnesses and the employee may allege that you made a discriminatory selection.

However, you must also be careful about basing selections on criteria such as attendance records. Absences may have been caused by illness or pregnancy, so selections based on attendance may also turn out to be unfair reason.

Another example is how businesses often choose employees due to their long-term commitment to their business.

This may seem like a natural decision. But can length of service be used in redundancy selection? Yes, if you apply it fairly.

Last-in, first-out is a common redundancy selection criteria used by employers.

This approach allows you to *objectively* justify your reason for using length of service as a selection criteria.

Beware of using criteria that affect a particular group of employees as this may lead to indirect discrimination. Choosing part-time staff may affect women more than men for example and may lead to discrimination claims.

**The redundancy selection matrix**

This is an example redundancy selection criteria—this approach is viewed as a thorough and sound selection process.

Once you have your pool of employees for selection, you then need to decide who to choose from that.

The goal of this is to ensure all employees facing the impact of dismissal receive a fair and consistent investigation. The “matrix” approach ensure your process is:

* Transparent with your decision making—and, as a result, fair.

* Objective in its decision making.

* Avoids discriminatory decisions.

* Carefully considers the nature of absences.

* Measures employee performance objectively.

* Considers disciplinary records fairly.

* Consults with employees through the process—or relevant trade union representative.

To complete the “matrix” approach, you’ll need a scoring sheet which you can make as extensive as you require.

Remember, you should remain thorough in your analysis. Some businesses, as a result, will make their documentation dozens of pages long.

However, for the sake of simplifying the steps we’ll break that down into your scoring system. This will go along the lines of:

* **Five**: Exceeds all requirements.

* **Four**: Meets most requirements.

* **Three**: Sometimes meets requirements.

* **Two**: Doesn’t meet requirements.

* **One**: Fails to meet requirements at all times.

With that points scoring system, you can then grade each dismissal candidate over the following selection criteria (as this is an example, you add to this as you see fit):

* Performance.

* Knowledge.

* Skills.

* Experience.

* Qualifications.

* Attendance.

* Disciplinary record.

* Redundancy costs.

* Pension release costs.

* Length of service (if you feel you can justify its inclusion).

So, you can use this structure to assess your employees’ individual value. And the scores you ascertain will directly influence who you then dismiss.