

How to go about making changes to your team

1 Formulate a genuine business reason

This is a legitimate commercial reason that underpins the decision to make changes to the structure of the business.

It is the foundation of the restructure.

It should be clear, understandable and documented.

2 Your initial proposal

Put together a proposal of how you plan to address the issue identified in your business reason.

It needs to be put in writing and contain the following:

- ▶ a clear outline of the proposal
- ▶ an explanation of your business reason
- ▶ what the ultimate outcome would be if the proposal went ahead.

Remember at this stage this is a proposal, you must avoid language that indicates predetermination. Provide your proposal to all employees that may be affected.

3 First meeting with employees to understand the proposal

Email the potentially affected employees inviting them to an initial meeting. This can be a group or individual meetings.

It's important to tell them they are entitled to bring a representative or support person to this meeting.

The purpose is to discuss the proposal and ensure everyone understands the business reason. Engage with your employees and answer any questions they may have about it.

This is not the time for employees to give feedback, you can let them know they will have an opportunity to do this soon.

4 Get the employees' feedback

At least a couple of days after the first meeting, you should call for formal feedback on your proposal.

Again, this can be on a group or individual basis and you must inform employees of their right to bring a representative or support person.

Remind employees that this is their chance to share feedback, and provide alternative suggestions.

Let the employees know they are welcome to provide feedback in writing if they'd prefer.

5 Genuinely consider the feedback

Feedback may identify opportunities and solutions you hadn't thought of. It's critical to approach feedback openly and consider it thoughtfully.

This step is very important to show you have not predetermined the outcome.

If the feedback prompts you to change your proposal, you should do this and restart the process from the second step.

The more detailed the feedback, the more time you should take to consider it.

6 Advise employees about how the process is proceeding

Decide whether you are going to proceed with your proposal.

Communicate the decision with your employees. This should be done by letter which summarises:

- ▶ the process you have followed
- ▶ the feedback given and your response to it (for example, why you have chosen not to proceed with the alternative suggestions)
- ▶ confirm the outcome (for example, that you have chosen to proceed with the proposal)
- ▶ set out the impact this has on the employee (for example, their position has been disestablished).

7 Advise employees of the outcome

This can be done by a letter, or in a meeting and confirmed in writing. The letter will:

- ▶ summarise the process you have followed
- ▶ confirm the outcome (for example, their employment will end by way of redundancy)
- ▶ confirm their notice period and last day of work
- ▶ outline any other relevant terms (for example, return of company property, tasks to be completed before they finish, obligations that continue after they finish)
- ▶ thank them for their commitment and service to your company.

Restructuring can be very stressful for employees. Approach this process with kindness and uphold that throughout your communications with employees. Not only does this soften the blow for many individuals, it is also taken into account by judges and/or any authority member should an employee raise a claim in respect of your process.

The process set out above is just a guide. It is important to be flexible as changes may be needed to the intended timeline.

If you have any questions, or something arises that you are unsure of how to deal with, please get in touch with us to discuss.