

UK Country FAQs - HR PROCEDURES - Employment Conditions

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- **If I resign will I still be paid Holiday?**

Yes, you will be paid for any unused outstanding holiday entitlement calculated to your leaving date. Individuals who leave the organisation and who have taken more Holidays than the proportional entitlement will have the difference deducted from their final salary.

- **What do I need to do if I want to resign?**

A resignation letter will be required.

- **Who should I talk to if I want to resign?**

You should discuss this with your direct Line Manager or HR Department.

- **If someone resigns how much notice does he/she needs to give?**

Employees should give notice, in writing, to their manager, giving the full period of notice stated in their offer of employment or subsequent notification. Individuals, who wish to terminate their employment within a shorter period, should seek approval from their manager. This will only be granted if no detriment is suffered by the Company.

- **I have been made redundant, can I appeal the decision?**

Employees dismissed by reason of redundancy will be given the opportunity to appeal against their selection for redundancy. They should do so in writing to their Line Manager within 5 working days/shifts of the receipt of written confirmation of the decision to dismiss by reason of redundancy. The appeal will be heard by an appropriate senior manager, with an HR representative in attendance. The senior manager will not have been involved in the original decision to dismiss by reason of redundancy. The appeal will usually be held within five working days / shifts of the appeal being lodged. The employee will be notified of the appeal decision in writing.

- **What is the minimum severance pay for a full time employee 18 or over?**

A full time employee who is 18 or over and who continues in employment until the end of the period of his notice or redundancy or such lesser service as the Company may agree, will receive severance pay as follows : i) If the employee does not qualify for any redundancy compensation, severance pay of one month's salary. ii) If the redundancy compensation is less than one month's salary, the employee's severance pay will be such an amount as added to the employee's compensation makes a total of one month's salary. iii) If, during the period of notice, the Company is unable to provide sufficient work to keep a member of the staff fully occupied, the employee may be discharged by the Company and receive salary in lieu of the incomplete part of the notice period and severance pay.

- **What is the salary figure used to calculate a redundancy figure?**

The salary figure used to calculate a redundancy figure is the current contractual salary of the employee on the date on which Syensqo gives the minimum notice to which the employee is entitled. Contractual salary for shift workers is defined as Basic, Premium Hours and Shift Allowance.

- **What is continuous service?**

Continuous service includes any period when an employee was employed directly by the Company as a temporary employee immediately prior to commencing a permanent contract.

- **What counts for an employee's length of service?**

An employee's length of service will be his/her length of continuous service inclusive of the period of notice. A move from one subsidiary to another, a transfer under TUPE, or a temporary lay-off will not be counted as a break of service.

- **Can the company withdraw notice of redundancy?**

Yes, Management retains the right to withdraw notice of redundancy at any time if changed conditions make it desirable to retain an employee's services.

- **What will happen if I leave during notice?**

Employees eligible for redundancy payment and who leave their job voluntarily will not lose their entitlement provided they leave with the consent of the Company and during their notice period. Employees should give their normal period of notice. If, during the period of notice, the Company is unable to provide sufficient work to keep an employee fully occupied, they may be discharged by the Company and receive salary in lieu of the unexpired part of their notice and receive compensation as provided below.

- **If I'm under redundancy notice, do I get time off to look for work?**

Yes, an employee under notice of redundancy is entitled, during the notice period, to a reasonable amount of time off with pay for the purposes of looking for alternative employment, or to arrange training for future employment. Employees who wish to take advantage of this provision should arrange this via their line manager on each occasion.

- **What is the notice for redundancy?**

The minimum periods of notice of redundancy for employees who commenced employment before 1st May 2010 are based on length of service as follows: - a) Less than 5 years' service 1 month b) 5-8 years' service 2 months c) 9-13 years' service 3 months d) 14 years' service or over 4 months For employees who commenced employment after 1st May 2010, statutory notice periods will apply.

- **What is the trial period if I have been made an offer of alternative employment in the company?**

When an offer of alternative employment is made, the employee is entitled to a trial period of 4 weeks (or longer if agreed). During the trial period, either the Company or the employee may give notice to terminate the contract. In this situation where the termination is mutually agreed the employee will leave under the same redundancy terms as previously agreed. If alternative employment is accepted compensation payments will not be made if the salary is lower than previously held (as is made when the individual is transferred to a lower paid job at the Company's request). Employees who unreasonably refuse an offer of suitable alternative employment or who refuse a reasonable trial period, may not be entitled to receive a redundancy payment.

- **Is the company obliged to accept any volunteers for redundancy?**

The Company reserves the right not to accept any volunteers for redundancy.

- **What is the redundancy selection criteria?**

The proposed method of selecting employees who may be dismissed will be, by asking for volunteers whenever possible. Where voluntary redundancy has not produced suitable volunteers the following criteria will be considered, but may not be limited to - skills and experience, standard of work performance, or aptitude for work, attendance or disciplinary record.

- **What is the compensation for redundancy for employees who commenced employment after 1st May 2010?**

Redundancy Pay for employees who commenced employment at Syensqo Interlox Ltd after 1st May 2010 is as follows: -Years of service will count for compensation from age 18 to 65/Normal Retirement Age inclusive: 1.5 weeks salary up to a maximum of 20 years service

- **What is the compensation for redundancy for employees who commenced employment prior to 1st May 2010?**

Members of the staff who have been given formal written notice of redundancy will, on termination of employment, receive compensation based on length of service as follows: i) Years of service will count for compensation as follows: a) from age 18 to 41 inclusive: three quarters of a month's salary b) from age 42 to 65/Normal Retirement Age inclusive: one and a half month's salary ii) Full compensation will be related to the number of years and months of continuous employment, reckoning backwards from the date on which the employee's contract is terminated, subject to a maximum of 24 months salary.

- **What is the company procedure for dealing with redundancy?**

In accordance with Trade Union and Labour Relations (Consolidation) Act 1992 (TULRA) legislation, the Company will, in order to avoid, reduce or mitigate proposed redundancies, consult with the appropriate recognised Trades Union(s) prior to declaring redundancies. This consultation will begin at least 90 days prior to the first redundancy, where 100 or more redundancies are proposed; and at least 30 days prior to the first redundancy where there are between 6 and 99 redundancies proposed. Where between 1 and 5 redundancies are proposed the consultation period may be less than 30 days but the Company will allow sufficient time for the consultation process to ensure it is meaningful and reasonable. For the purposes of consultation, the Company will disclose in writing: a) the reasons why any employees have become redundant, b) the numbers and description of employees whom it is proposing to dismiss as redundant, c) the total number of employees of any such description, d) the proposed method of selecting employees who may be dismissed, e) the proposed method of carrying out the dismissals, including the period f) over which the dismissals are to take effect, g) the proposed method of calculating the amount of any non-statutory redundancy payments. The Company's consultation with the Trades Union(s) will include consultation about ways of avoiding dismissals, reducing the number of employees to be dismissed and where possible mitigating the consequences of dismissals. The Company is under a statutory duty to consult with a view to reaching agreement with the Trades Union(s). If there is no recognised Trades Union, the Company will consult with a nominated employee representative, or with the individuals affected with a view to establishing fair procedures.

- **What are the responsibilities of the line Manager on the Redundancy Policy?**

It is the responsibility of line managers to ensure that : i) Redundancy is not sought as an easy method of solving a problem; ii) The position is truly redundant; iii) Redundancy is carried out in a sensitive manner in a way which complies with legal obligations. The HR Manager must be involved to advise on these matters prior to any communication to affected individuals.

- **What are the responsibilities of the HR department on the Redundancy Policy?**

It is the responsibility of the HR department to ensure that: i) All legal obligations are met; ii) All necessary communications are made; iii) All necessary documentation is provided; iv) Redundancy payments and calculations are regularly reviewed. v) Any changes to the Redundancy Policy are communicated to the business.

- **What is redundancy?**

The Employment Rights Act 1996 (Section 139) defines redundancy as follows: (1) For the purposes of this Act an employee who is dismissed shall be taken to be dismissed by reason of redundancy if the dismissal is wholly or mainly attributable to- (a) The fact that his employer has ceased or intends to cease- (i) To carry on the business for the purposes of which the employee was employed by him, or (ii) To carry on that business in the place where the employee was so employed, or (b) The fact that the requirements of that business- (i) For employees to carry out work of a particular kind, or (ii) For employees to carry out work of a particular kind in the place where the employee was employed by the employer, have ceased or diminished or are expected to cease or diminish.

- **What are the objectives of the Redundancy Policy?**

It is Syensqo's intention to treat all employees in a fair and consistent manner in the event of the Company ceasing their line of business, intending to cease the line of business for which the employee was employed or a reduction or cessation of work.

- **What is the scope of the Redundancy Policy?**

It is Syensqo's intention to develop its business activities and thus provide a stable working environment and where possible security of employment for its employees. It must, however, ensure the economic viability of the enterprise in an increasingly competitive business environment. Circumstances may arise where changes in the market, technology or organisational requirements necessitate the need for reductions in staffing levels leading to redundancies. In order to minimise the impact of such reductions the following procedure will be adopted. The HR Manager must be involved to advise on these matters prior to any communication to affected individuals.

- **When is the contract given to the employee to sign?**

After the employee has been selected to work at Syensqo, and before they commence employment, two copies of the contract and a covering letter are sent to them by post. The contracts are already signed by the relevant parts from Syensqo, the employee will also have to sign them and send one to HRO.

- **Who is responsible for writing employment contracts?**

The HR Department is responsible for writing employment contracts. There is a standard contract that may be changed depending on employment details (Salary, position, work schedule). These details are communicated to HRO by the Manager. After preparing the contract HRO will send it to the Manager for approval before posting it to the employee. During this time the Manager may request any changes to be done to the contract.

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- **Can the company dismiss someone due to poor attendance records?**

If the employee's attendance record does not improve, or if his or her long-term absence continues, a final interview will be arranged. At this point, unless there are reasonable grounds to believe that there will be an improvement in the foreseeable future, the organisation's decision to dismiss the employee by reason of incapability will be explained.

- **What happens if the employee's performance problems are related to his/her state of health?**

If, on the other hand, e) applies, the employee's manager will advise him or her to seek proper medical attention. A medical report from the employee's GP will be required, if appropriate, and the employee may be required to attend an examination by a practitioner of the organisation's choice in order to seek a (second) medical opinion. (A refusal to obtain or pass on the GP's report, or to attend a medical examination, may lead to the organisation to take disciplinary action against the employee, up to and including dismissal.) Once it has been established that the employee is receiving appropriate medical treatment, the employee's performance will be reviewed over a reasonable period of time.

- **What will happen if the employee's poor performance does not improve?**

Should matters fail to show a significant improvement, the employer must set down in writing the nature of the employee's capability that may result in dismissal, or disciplinary action, and send a copy of this statement to the employee. The employer must inform the employee of the basis of the complaint and a formal interview will be arranged between the employee and his or her immediate manager. At this meeting the employee will have the right to be accompanied a colleague, a knowledgeable (lay) representative or a trade union official. The aims of the interview will be to: Identify the cause or causes of the poor performance and to determine what, if any, remedial treatment (e.g.: training, retraining, support) can be given Explain clearly the shortfall between the employee's performance and the required standard Obtain the employee's commitment to reach that standard, by setting realistic targets Set a reasonable period for the employee to reach the standard, and to agree on the operation of a monitoring system during that period Tell the employee what will happen if that standard is not met The outcome of this interview will be recorded in writing and a copy will be given to the employee.

- **What is the procedure of the Capability Policy?**

When it first becomes clear to the Line Manager, that the employee's performance is so poor as to be unacceptable, the manager will hold an informal discussion with the employee to try to establish the reason or reasons. Any explanation given will, where necessary, be investigated, after which the following outcomes and actions are possible: a) The manager decides that the established standards are not reasonably attainable - the standards will be reviewed. b) The employee's problems emanate from a change in the organisation's standards - the new standards will be explained to the employee, and help & retraining will be offered, as appropriate. c) The employee's problems are related to his or her personal life - the necessary counselling and support will be provided where possible. d) The employee's poor performance is related to a lack of training or supervision - additional support in the form of training or coaching will be provided. e) The employee is suffering from a medical condition which affects his or her performance, but the condition has not yet resulted in a poor attendance records - medical advice will be sought before determining a plan of action. f) The employee's performance problems are related to his or her state of health and have resulted in frequent and persistent short-term sickness absences or a longer period or periods of absence - refer to the ill-health section below. g) The employee's poor performance results from and may even constitute misconduct - the disciplinary procedure will be invoked.

- **Who has responsibilities in the Capability Policy?**

It is the responsibility of all line managers to ensure that this policy is understood by all employees and effectively implemented. It is the responsibility of the line managers to ensure that they comply with this policy at all times.

- **What are the objectives of the Capability Policy?**

There will be times when employees do not perform at the levels required by the organisation. In dealing with cases of poor performance, the organisation distinguishes between those where the reason is within the employee's control (e.g.: employee's negligence, lack of application or attitudinal problems) and those where the reason is outside the employee's control (e.g.: health, lack of training or the changing nature of the job). In the former case, the organisation's Disciplinary procedure will be used, and in the latter case, the Capability procedure will be employed.

- **What is the scope of the Capability Policy?**

Syensqo Interox Ltd will at times endeavour to ensure that employees achieve and maintain a high standard of performance in their work. To the end the organisation will establish standard and monitor performance, and provide employees with appropriate training and support to meet those standard.

- **What is the fourth stage of the collective Grievance Procedure?**

Failing resolution at Stage 3 the senior employee representative(s) and the Full Time Official(s) will present the matter to the appropriate senior manager within ten working days or as soon as reasonably practicable. This may be done with the involvement of the CIA/ACAS/ other appropriate external body in an advisory capacity.

- **What is the third stage of the collective Grievance Procedure?**

Failing resolution at Stage 2 the NC will meet with the relevant Full Time Official(s) within ten working days or as soon as reasonably practicable.

- **What is the second stage of the collective Grievance Procedure?**

Failing resolution at Stage 1 the issue will be referred to the Negotiating Committee (NC) within ten working days/shifts, or as soon as is reasonably practicable.

- **What is the first stage of the collective Grievance Procedure?**

Issues arising out of the matters detailed in 5.3 above will be raised by the relevant employee groups or their representative(s) with the appropriate manager and HR Department. If unable to resolve the issue at this stage a "failure to agree" form will be completed by both parties.

- **What is the third stage of the individual Grievance Procedure?**

Failing resolution and on the basis of the statements prepared at Stages 1 & 2, the matter will be presented within five working days/shifts to a senior Manager, who will be from a function other than the employee's own and will be as mutually agreed between the employee and the HR Department. Having considered the grievance, he will write to the employee within five working days/shifts, explaining his decision, which will be final.

- **What is the second stage of the individual Grievance Procedure?**

If the matter is not resolved at the first stage, the employee will, within five working days/shifts, be given the opportunity to make a formal appeal to his second line manager. A further written statement will be prepared by the manager.

- **What is the first stage of the individual Grievance Procedure?**

An employee will discuss his or her grievance informally with his first line manager. If he so wishes, he may make a written statement. To proceed further a written statement from the employee is mandatory making explicit the fact that the individual wishes to proceed to stage 2 of the procedure and must be accompanied by the line manager's brief written summary of the discussion.

- **What is the time scale for raising an individual Grievance?**

The time scale for raising an individual grievance is 3 months from the issue arising.

- **Who can be present at a grievance hearing?**

At each stage of the individual procedure the employee will be present and may be accompanied by a colleague, employee representative or Full Time Official. At any stage of the individual procedure a member of the HR Department may be present at the request of either party, as may any other employee who it is considered could make a material contribution to the discussion.

- **What are the responsibilities of the employees on the Grievance Policy?**

It is the responsibility of all employees: To use the grievance procedures appropriately and constructively in order to facilitate speedy resolution of difficulties.

- **What are the responsibilities of the HR Department on the Grievance Policy?**

It is the responsibility of the HR Department : To ensure the procedure is appropriate to the business at all times To provide consistent advice to line management in accordance with Company policy and employment legislation.

- **What are the responsibilities of the managers on the Grievance Procedure?**

It is the responsibility of all managers to ensure that the procedure is : Communicated to all employees Understood by all employees Effectively implemented and complied with at all times-

- **What are the objectives of the Grievance Policy?**

Syensqo Interox Ltd intends that every effort will be made to arrive at a speedy solution to any grievance, individual or collective, and that all employees are assured of prompt, fair and impartial treatment. In addition, Syensqo Interox Ltd intends to facilitate equitable resolution of any problem, at the closest management level to where the grievance has arisen. This should also minimise the possibility of any grievances developing which would jeopardise the efficiency and long term security of Syensqo Interox Ltd.

- **What is the scope of the Grievance Policy?**

Syensqo Interlox Ltd recognises that from time to time employees may wish to seek formal redress of grievances relating to their employment and that collective grievances relating to the application or interpretation of existing/new agreements, will require speedy resolution. In this respect Syensqo Interlox Ltd Company policy is to encourage effective communication between employees and their managers to ensure that grievances arising during the course of employment can be aired and, where possible, resolved quickly and to the satisfaction of all concerned. To this end the following procedure should be adopted where there are individual or collective grievances arising from employment - except where the matter constitutes an appeal against an individual disciplinary decision which should be raised in accordance with the disciplinary procedure.

Date last updated: 27 Dec 2023