

Redundancy



Introduction

It used to be a rare thing for a lawyer to be made redundant. Since the credit crunch, however, almost one in four calls to the LawCare helpline relate to a solicitor or barrister who has found themselves out of work, or their practice struggling.

For many, redundancy can come as a shock. Even those who have seen dropping levels of work coming in can be shaken by the news that their position is being axed. Just because redundancies are inevitable, it doesn't follow that you shouldn't feel traumatized and distressed when it happens to you, especially when you have been in a position for a considerable amount of time, and were happy there. Naturally there may also be financial concerns.

LawCare is a charity that provides support to lawyers suffering problems such as stress, depression and addiction to alcohol or drugs. Because there is such a wide variety of problems which cause stress to lawyers – such as workplace bullying, for example – we try to provide information and advice regarding a wider range of issues. Redundancy is one of these. It is not LawCare's function to assist lawyers with retraining or finding work, but this pack has been prepared in order to help lessen the impact that losing your job can have on your self-esteem, and to reduce the stress caused.

When Redundancy is Threatened

The threat of redundancy can cause extreme stress. With the downturn in the market many lawyers are seeing less work come in, especially in areas such as conveyancing. If it looks as though redundancies may be on the cards in future, and your department seems to be one of those which is struggling, there are several steps you can take to minimise the threat of redundancy, or the impact it will have on you if it occurs.

Check your Contract

Dig out your contract and read through it carefully. Look at what redundancy package your firm offers, and its policy on making staff redundant. If you are a solicitor, you should also check the position with regard to your practising certificate, especially if the firm paid for it.

Your contract may also provide you with ideas to enable you to stay with the firm. Does the firm offer easy transfer to other (less threatened) departments, and will they pay for any additional training if necessary? If the worst happens, do they offer any support with transferring to other firms, or even careers counselling via the HR Department?

Be positive

As and when you complete tasks, ask for additional work. Help out your colleagues. Be positive about your firm and offer support to your line manager. Now is not the time to ask for unpaid leave or "favours" from your firm, but, on the other hand, if you had been thinking of asking for flexible working involving reduced working hours this may be just the time to broach the subject. A reduction in you "cost" to the department/firm may mean that a redundancy situation can be avoided.

Get your CV up to date

Your CV needs to stand out from the pile so it is important to get it right and make it sparkle. A good CV should have all the relevant material immediately apparent, and should be clear, well laid out, honest, correctly spelt and punctuated, and brief. If you can fit everything on one

or two sides of A4 paper, then do (see appendix 1 for an example of this). You could consider consulting a recruitment consultant or CV drafting service for expert help. If it gets you a good job sooner, then it'll be worth the cost.

If your name does not immediately make it clear whether you are male or female then indicate this, and if you have a good personal website, include the address. If you prepare your CV on a computer, then you can tailor it to fit each job you apply for, emphasising specific areas. It will also look professional and, above all, be legible.

List employment, starting with the most recent. You need not include a reason for leaving if it is plain that the next job was a better one. Include any positions of responsibility, and skills or additional training. This should include computer skills, driving licence and competency in another language. Don't just list what you did in a job – if you are going into some detail, emphasise the skills you learned from what you did.

Many people worry about “gaps” on their CV. Where possible, give a brief explanation. If these gaps were due to mental health or addiction problems, further advice can be found in our document “Returning to Work after Recovery” (available for free download from our website - www.lawcare.org.uk - or we can send you one if you ring us – 01268 771333).

If you are an older lawyer you may be concerned that your age will count against you. Don't leave dates off your CV – it will simply lead the potential employer to wonder what you are hiding – but don't emphasise them either. Within the Hobbies and Interests section, try to focus on those more associated with youth. Quad biking, rather than Bridge, for example.

If you can do so discreetly, call in favours from current and former employers or colleagues, high profile professionals and others to act as referees. Ask them to write brief references or letters of recommendation and to give you several copies. These should include details of how long they have known you, and in what capacity.

Update your skills

Ensure your CPD record is up to date, and consider additional training. Details of courses can be found in legal periodicals, and may take place in the evenings or over a weekend. Even if they are day courses, your firm may permit you time off to attend, or you could take it out of your annual holiday.

Start looking

It is easier to find work when you are in work, so while you are still employed get into the habit of buying the newspaper on the appropriate day for job advertisements, and looking at legal journals that carry these. A list of legal recruitment websites is given at the end of this document. You may even consider applying for some jobs that are of particular interest – there's no need to wait until you are made redundant.

Network and use your contacts

Remember that Partner you met at a conference who you really got on with? The college pal who owes you a favour? You are probably good at networking as part of your firm's marketing effort and now is the time to do it for yourself. Follow up every contact you have in your chosen sector. Take time to meet up with people. It is amazing how many people land jobs through “who they know”. Don't be shy in putting yourself forward!

Consider Insurance

Whilst most Income Protection Insurance Policies will require you to sign a statement to the effect that your job is not at risk, and may not pay out if you are made redundant within a certain period after taking out the insurance, they may nevertheless be worth looking into. These policies pay out 50%-65% of your gross monthly income if you become unemployed for more than three months. How much they cost depends on how much you earn, your mortgage payments and other outgoings, and whether you also want cover for accidents or illness.

Build a Financial Reserve

One of the main problems with losing your job is, of course, financial. With no salary coming in, and redundancy pay often relatively low, paying the mortgage, school fees, etc. can be a tremendous problem. However, the day you are made redundant is a bit late to start cutting back on your spending.

With your family, look at ways you can cut costs *before* you are out of work. In the grocery shopping, for example, go for store brand goods rather than branded. You might agree that you have take-aways or eat out only once a week, or even less. Start taking a packed lunch to the office rather than picking up an expensive sandwich at a coffee-shop. Go through your bank statements to check for any old direct debits that really are not necessary – subscriptions to magazines you never read, or membership of a gym you rarely go to, for example. When you write to the bank to cancel these, rather than cancelling them outright ask for the money currently being paid in these subscriptions to be transferred into a high interest savings account instead.

Stop using your credit cards, and aim to pay them off completely. While many of them carry insurance against redundancy, there are often strings attached, such as paying only the minimum payment for a given amount of months, which means that you continue to accrue interest which you are liable for.

More advice on budgeting and managing money is available in LawCare's Debt pack (again, available from our website or by phone: see above).

Facing Redundancy

Once it is confirmed that your post is going to be made redundant you need to clarify the situation. The law states that redundancy means that there is no longer sufficient work for the employee to undertake – your employer cannot use redundancy as a means of shedding staff they no longer want. If you feel that your redundancy is not justified, contact specialist employment lawyer or the Solicitors' Assistance Scheme (020 7117 8811 – 1 hour free initial legal advice) for expert input.

If you are keen to stay where you are, discuss the situation with your employers. Would they be able to keep you on if you were to take a salary cut, temporarily reduce your hours or retrain for another department? In most cases redundancy is the last resort, and this will already have been considered, but it is still worth asking. Finally, request good references and ensure that you get these before you go.

It is important that you remember that it is your job that has become redundant, not you.

Your current situation in no way reflects any lack of skill, competence or professionalism on your part. Being made redundant can affect your self-esteem, which can in turn make it difficult to sell yourself at interview. Try to remember that you are a highly trained and experienced professional and your unemployed status is simply due to an economic situation beyond your control.

If you are facing serious financial pressures as a result of your redundancy, check the following carefully:

- Were you paid the appropriate amount of redundancy pay? If you have worked for an employer for more than two years you are entitled to statutory redundancy pay of a week's gross salary for each full year of service if you are under 41, or 1½ weeks' gross salary for each full year of service if you are 41 or over, plus a detailed statement explaining how it was calculated. Many firms offer much more generous redundancy packages than the statutory amount, however. This should be in your contract.
- Was your redundancy fair? If someone else has been employed to do what is, in reality, the same job, then you may have a case worth pursuing. You may choose to speak to the SAS (telephone number above) for initial pro bono advice
- Do you have any insurance policies that cover job loss? If you do not have Income Protection Insurance, do other policies cover this – for example, on your mortgage or credit cards?
- Are you getting all the state benefits to which you are entitled?
- Can any of the following help you?
 - the Solicitors Benevolent Association, for solicitors in England and Wales (020 8675 6440)
 - the Barristers Benevolent Association, for barristers in England and Wales (0207 242 4761)
 - the ILEX welfare fund, for Legal Executives (01234 841000)
 - the Scottish Solicitors Benevolent Fund (0141 352 4522)
 - the Solicitors Benevolent Association, for solicitors in Northern Ireland and the Republic of Ireland. (00353 1283 9528)
 - The NHS Credit Crunch Stressline (0300 123 2000)

Ten Tips to Help You get Back Into Work

Note: The assumption is made that you are fit, well and able to work. If you have any physical or mental health issues, or have been under considerable stress for a long period of time, see your GP. Your condition may mean that time away from the workplace would be beneficial.

1. Don't waste time.

It's a waste of your energy and effort to allow yourself to wallow in bitterness or try to assign blame. Yes, it's terribly unfair; yes, it's a shock; but the world does not owe you a living. Instead of dwelling on your dismay, seize the opportunity to start afresh. Count your blessings – perhaps that you no longer have to endure the rush-hour commute, or work with a particularly annoying client or colleague – and recognise that the time may come in the future when you view your redundancy as a good thing because it got you out of a rut, or was the start of something better.

2. Review your career and decide where you want it to go

This may be a good opportunity to review your goals, skills and ambitions. The knee-jerk reaction may be to get another job with a firm or organisation similar to your old one, but it could also be worth taking time to think about what you would really like to do, and where you ultimately want your career to go. Think about what steps you need to take to make it happen. It may be as simple as retraining to specialise in a different area of law, but if you loved what you were doing before you were made redundant, by all means aim to get back into the same kind of work.

3. Make Finding a Job your Job

You probably spent at least eight hours a day in the office, plus more commuting. Whilst it might be tempting to spend your newfound time at home on the golf course, getting on with the DIY and decorating, or reconnecting with your family, at least some of that time could also be well spent meeting recruitment consultants, searching job adverts in newspapers, periodicals and on the internet, putting together applications and going to interviews.

Be proactive about your new work-seeking role. Don't just sit around and expect a job to fall into your lap. Advertise your availability by taking your CV into local firms, and large companies with an in-house legal department. Plan your days, just as you would if you were at work, and decide which work-seeking related tasks you will do each day.

4. Use All Available Resources

Register with employment agencies and websites, and also re-establish friendly contact with former colleagues, opponents and clients. Get to know your recruitment consultant well, if you use one, so that he or she is fully aware of your abilities and strengths. If your budget allows, you might also speak to a specialist careers counsellor or consultant. Some of these are listed at the end of this document, or try your local Yellow pages.

5. Be Creative

Is the legal profession not for you after all, and would you really prefer to go in a different direction now that you are free to do so? Do you have a hobby that might be turned into a career? Just because you have been a lawyer for the last ten years, it doesn't follow that this is all you can do. More advice on changing direction can be found in LawCare's Alternative Careers document (on our website, or request by phone, as before).

Even if you love being a lawyer, you don't just have to be in a law firm. You could be an in-house lawyer, work for a local authority, work in a law centre, lecture at a law school, do legal research for a big City firm, or be a locum (which can sometimes lead to a more permanent position). Consider every option, and be prepared to be flexible.

6. Don't Be Too Fussy

Some options may seem to be beneath you. Don't be too proud to take a step down. The fact is that your family has to eat, and the mortgage has to be paid. Any job is better than no job in the short term, and as has been stated before, it is easier to find work when you are in work. Potential new employers are far more impressed by signs of a strong work ethic than you sitting at home wallowing.

7. Learn New Skills

Consider retraining for a different area of law or a different job altogether. Think laterally as to the skills that you have acquired over the years (they are likely to be more, and more varied, than you might expect) and then look at which areas are flourishing, and what skills the job adverts are looking for. Check to see what courses are available at local colleges and universities, and whether grants are available while you retrain. Don't hope that a job will come up which fits you – make your skills fit the available jobs.

8. Apply, Apply, Apply

Get your CV up to scratch and send out as many applications as possible – don't get fixated on one perfect position and wait to hear from that before applying elsewhere. You should be applying for anything and everything reasonably feasible – if nothing else, it gives you an opportunity to practice your interview technique. And if you are offered a job you don't really want, it will at least boost your self-esteem and give you an income while you look for something else.

9. Develop a Thick Skin

If you send out a lot of applications, you can expect a lot of rejections. Don't take them personally, don't get angry if it feels unfair, and don't let them damage your self-esteem or momentum.

10. Make Your Own Job

Try and identify a gap in the market – and fill it. A trainee solicitor attending her firm's Christmas lunch overheard a conversation about how difficult it is to get good specialist bookkeepers for law firms, and how poor accounting within the office can have disastrous effects. She researched the market, and on completing her training contract, set up a now-thriving company training and placing permanent and locum legal bookkeepers.

Have you always wanted to set up your own firm? Whether a law firm, or something else, this may be your opportunity. Buying a franchise may be another option. It'll be hard work, but ultimately rewarding. Get specialist advice, ideally from someone else who has done it, and research it thoroughly. There may be government grants, loans and advice available to help you. Check www.businesslink.gov.uk for information about everything to do with starting your business look on the Law Society website for their downloadable Small Business Toolkit.

Resources

Websites

www.jobsunlimited.co.uk
www.lawandmore.co.uk
www.lawgazettejobs.co.uk
www.ten-percent.co.uk
www.legalprospects.com
www.lawconsultants.co.uk

Helplines

	For Lawyers and Legal Executives in England and Wales	0800 279 6888
LawCare	For Lawyers, Advocates and Law Students in Scotland, Northern Ireland and the Isle of Man	0800 279 6869
	For Lawyers in the Republic of Ireland	1800 991801
	For Barristers, Barristers Clerks and Judges in England, Wales and Northern Ireland	0800 018 4299
Lawyers Assistance Scheme	Legal advice for lawyers – usually first hour free	020 7117 8811
Lawyers Benevolent Association	Financial Support	020 8675 6440
ACAS helpline		08457 47 47 47
Department for Business, Enterprise and Regulatory Reform Helpline	Enabling you to check that your redundancy payment is correct	0845 145 0004

Careers Coaching and Counselling for Lawyers

(Listing of a name should not be taken to be a recommendation).

- Jackie Knights -Yorkshire and nationwide by telephone/email.
www.jackieknights.co.uk, 07867 543092
- Caroline Burton - Sussex.
01444 892428
- Advocas - London
www.advocas.co.uk, 020 7622 2691
- Career Balance - London
www.careerbalance.co.uk, 020 3051 1054

With grateful thanks to the Jeremy Vine Show, BBC Radio 2 on 12/11/08 and Karen Derby, for some materials.

Appendix 1 – Sample CV

Curriculum Vitae

Sandy Davenport (Mr)

Address: Westleigh
10 Manor Road
FORDHAM
Lancashire
LA28 9DR

Telephone: + 44 (0)1234 567890
(0)7765 432109

Email: Edward@edavenport.me.uk
Website: www.edavenport.me.uk
Date of Birth: 1st January 1955
Status: Married, one grown-up son.

Education and Qualifications

1967-1972	Fordham High School for Boys	Eight 'O' Levels: Grade As in Maths, English and Law.
1972-1974	Fordham Sixth Form College	Three 'A' Levels: Law (B), Philosophy (C), Economics (C)
1974-1977	University of Fordham	B.A. (Hons) Law, 2.1
1990	Lancashire Adult Education College	GCSE British Sign Language
1991	Lancashire Adult Education College	NVQ Applied International Legal Economics

Employment

1991-present	Brattakers 207-219 Fordham Road Preston	Assistant, Salaried Partner and Equity Partner with speciality in liaison with international offices.
1985-1989	Millicent Walker & Co. York Road Fordham	Salaried partner with responsibility for ten staff and three departments.
1977-1985	Carter, Carter and Wilson 12 High Street Fordham	Trainee Solicitor, Assistant Solicitor, Head of Family Law with responsibility for three fee-earners.

Hobbies and Interests

I coach the local Under-13's football team each Saturday, and am a member of the local Round Table. I am involved in campaigning to protecting the local woods from developers.

Additional Information

During a two year sabbatical 1989-1991 I undertook voluntary work with deaf children as well as specialist legal training. I have considerable computer skills including spreadsheets and databases, and have designed my own website. I am fluent in British Sign Language. I have a clean driving licence.

References

Mr Oscar Cartwright (Senior Partner) Brattakers 207-219 Fordham Road Preston PR2 8MU	William Wilson QC (Friend) Westhill Chambers High Street Fordham LA28 8RS
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