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Human Resources Policy Statement HRPS 19

Redundancy Policy

A redundancy situation arises where:-

- a) The volume of work diminishes or the work ceases; or
- b) The volume of work remains the same but the University requires fewer staff to carry out the work or
- c) There is a change in the nature of the work requiring a different type of skill and job description or

1. Scope

This policy applies to all staff employed on a permanent or fixed term contract of employment. It may also apply to those on a nil/variable hours contract who work for the university regularly and consistently (advice must be sought from HR). (see [Guide to Using the Right Contract \(click\)](#)).

2. Principles

The Redundancy Policy aims to ensure that the University is ready to respond to any potential or actual redundancy situation in a manner that is fair, consistent, objective and in line with Equal Opportunities policy, legislation and best practice.

The University shall, wherever possible, seek to avoid making posts compulsorily redundant by planning in advance and using natural wastage and turnover, planned redeployment and voluntary redundancy. .

Communication and consultation will be key. The University will fully consult with the affected individual(s) and the recognised trade unions where appropriate. Staff will be provided with clear information about the reasons for the redundancy, and the options open to them.

If the redundancy is as a result of a restructure, the [Restructure Procedure \(click\)](#) must be followed prior to the redundancy procedure being invoked.

3. Procedure

For Individual Redundancies

Where one post is identified for redundancy, or a fixed term contract is coming to an end and will not be renewed (see [Managing Fixed Term Contracts \(click\)](#)), the line manager will liaise with their HR Business Partner to discuss the case and the rationale. The line manager will then meet with the employee to explain the situation. HR will notify the relevant trade union.

The employee will be invited in writing to a formal individual consultation meeting and may be accompanied by a colleague or trade union representative. An HR representative will attend

where possible.

At the individual consultation the line manager will seek ideas from the employee on how to avert a redundancy situation. The line manager will provide information on:

- why the post is potentially being made redundant / the fixed term contract is not being renewed.
- The [Redeployment Procedure](#) (*click*)
- Timescales
- Redundancy pay if relevant ([Appendix 2](#) (*click*))
- Support available for [applying](#) (*click*) for jobs if the redundancy goes ahead.

After the consultation, if the line manager goes ahead with the redundancy, HR will seek authority from the Vice-Chancellor to dismiss due to redundancy.

The line manager will follow up the one to one consultation with a letter outlining what was discussed and what the University's final decision is. If the redundancy / non-renewal of contract is to go ahead the letter will give notice of the termination date, redeployment, redundancy pay and [right of appeal](#) (*click*).

For Collective Redundancies

Where several posts are identified for redundancy, or where a restructure may result in redundancies the line manager will meet with their HR Business Partner to discuss the case.

HR and the line manager will enter into formal consultation with the relevant trade union ([Appendix 1](#)) and the [Restructure Procedure](#) (*click*) will be followed where relevant. After the trade union consultation is complete, a staff meeting will be called to inform staff and the relevant trade union will be invited. After the general staff consultation has completed, all employees affected will be invited in writing to a formal one to one consultation meeting and may be accompanied by a colleague or trade union representative.

At the one to one consultation the line manager will seek ideas from the employee on how to avert a redundancy situation. The line manager will provide information on:

- why the post is potentially being made redundant
- application process and selection criteria for posts available (see [Appendix 3](#))
- the [Redeployment Procedure](#) (*click*)
- timescales
- redundancy pay if relevant ([Appendix 2](#))
- support available for [applying](#) for jobs (*click*)

The line manager will follow up the one to one consultation with a letter outlining what was discussed and what the University's final decision is. If the redundancy / non-renewal of contract is to go ahead the letter will give notice of the termination date, redeployment, redundancy pay and [right of appeal](#) (*click*).

This policy was adopted following the Management Team and Board of Governors discussion on 18 November 1996. It was reviewed and approved in January 2011.

Trade Union Consultation

Employment legislation requires recognised trade unions to be consulted where 20 or more employees are affected, as follows:

- 20 or more employees to be dismissed within a period of 90 days, consultation to take place at least 30 days before the first dismissal; or
- 100 or more employees to be dismissed, consultation to take place at least 90 days before the first dismissal.

Consultation is required with a view to the University reaching agreement with the trade unions of ways to avoid or reduce the number of dismissals and mitigate the consequences of dismissal. As such, consultation is required as early as possible when proposals are still draft, before a final decision has been made. Adequate information must be provided with adequate time for response and the University must give conscientious consideration to the response.

Over and above statutory requirements, the University will inform the appropriate unions of redundancies affecting less than 20 employees, including cases where it is due to the end of a fixed term contract.

The Department of Trade & Industry must also be informed if more than 10 people are to be made redundant. The notification period is the same as for the unions.

Notice Periods and Statutory Redundancy Pay

All staff are entitled to notice of dismissal due to redundancy. This will be either their contractual notice or statutory notice whichever is the longer.

Statutory notice

Statutory notice is based on length of service up to a maximum of 12 weeks for staff with 12 or more years continuous employment with the University.

Contractual notice

Academic staff employed prior to 1 April 1989 : one year

Senior managers and other academic staff: 3 months

Research staff: 2 months

Administrative staff: 1 month

STATUTORY REDUNDANCY PAY

Staff with at least 2 years of continuous employment with the University and/or a [Modification Order employer](#) (click) are entitled to [Statutory Redundancy Pay](#). This is based on age and length of service with the University.

Selection For Redundancy

Where a redundancy situation has been identified that results in the need to reduce the number of staff in a given area but where there is flexibility as to which staff to retain, the following criteria may be considered:

- performance in post
- for support staff, the successful achievement of objectives as detailed in the most recent two appraisals.
- sickness record, where appropriate, disregarding disability-related absence.
- disciplinary record where appropriate with reference to associated reasons
- the individual's skills base and potential for retraining to fill anticipated future needs and vacancies
- cost of redundancy taking into account the above criteria

During consultation other selection criteria may be introduced.

Process of Selection

Assessment for selection will be undertaken by the Dean/Service Director in consultation with relevant line managers. A formal process using supporting statements and an interview may be used. Recommendations with supporting documentation will be considered by the Executive line director. Appeals against selection decisions will be heard by an alternative Executive line Director. HR will advise throughout the process.

All staff have the [Right to Appeal](#) to the Board of Governors against their dismissal.