

## Redundancy Policy and Procedure

### Purpose and Context

The University seeks to ensure, as far as reasonably possible, the security of employment for all staff. Where redundancy is necessary, the policy will be implemented with a commitment to transparency and information sharing with staff affected.

This document sets out the procedure to be followed when any proposals for organisational changes are put forward that may lead to redundancies.

Both the University and the Trades Unions recognise that discussion on any such proposals should begin at the earliest possible opportunity.

### Scope

This Policy and Procedure applies to all staff, on permanent, indefinite and fixed term contracts with the exception of the Vice Chancellor.

### 1. Consultation

- 1.1 At the earliest opportunity the University will seek to alert local trade union representatives through standard local meeting arrangements of any situations that may lead to potential redundancies, for example, anticipated budget shortfalls or potential restructuring and realignment of business needs.
- 1.2 Where a redundancy proposal meets or exceeds the statutory provisions of Section 188 of the Trade Union and Labour Relations (Consolidation) Act 1992, a S188 Notice is required and this will be sent to the recognised Trade Unions' regional offices, with the information listed below:
  - The reasons for the proposed dismissals.
  - The total number of staff of any such description within the affected area.
  - The proposed method of selection.
  - The proposed method of carrying out the dismissals, with due regard to any agreed procedure, including the period over which the dismissals are to take effect.
  - The proposed method of calculating the amount of any non-statutory redundancy payments if this is applicable.
  - Details of the use of agency work within the affected area.
  - An equality impact assessment.
- 1.3 Based on the reasons for a potential redundancy situation, information such as financial reports and associated financial data/information and student numbers may be provided to trade union representatives as identified through consultation in a timely manner. All other information requested will be considered in the context of the situation and commercial sensitivities.

- 1.4 Where the provisions of Section 188 of the Trade Union and Labour Relations (Consolidation) Act 1992, as amended, do not apply the University will still provide the appropriate Trade Unions with the above for information.
- 1.5 Unless agreed to be less, a minimum 30-day consultation process will be applied from the date formal notice is issued to members of staff at risk of redundancy. Where the statutory rights apply, the period of consultation will be the statutory period. The consultation period will allow staff and Trade Union representatives sufficient time to consider the proposals.
- 1.6 The purpose of consultation is to engage and consult meaningfully with those impacted by the proposed change directly and with the Trade Unions in relation to avoiding dismissals, reducing the number of employees to be dismissed and mitigating the consequences of any dismissals.

## 2. Mitigating compulsory redundancy

- 2.1 The University will take reasonable steps to avoid compulsory redundancy. Options for avoiding redundancy will be explored, including:
  - Limiting the refilling of posts when staff leave the organisation throughout the consultation period.
  - Reducing the use of temporary, agency or casual staff.
  - Restrictions on external recruitment to jobs that may be suitable for staff at risk.
  - Seeking volunteers for part-time work if appropriate where business needs provide.
  - Retraining existing staff to cover any skills gaps within a reasonable period of time not usually exceeding 3 months.
  - Redeployment of staff to suitable alternative employment.
  - Provision of trial periods to a maximum of 6 months for potentially suitable alternative employment.
  - Seeking volunteers for voluntary redundancy or early retirement within the scope of those affected by any formal process if offered.
  - Other cost saving measures that mitigate the need for compulsory redundancy.
- 2.2 Where a voluntary redundancy scheme operates details of the scheme will be sent to all staff who are directly at risk by the redundancy proposals (para 4.1). If there are more volunteers than required in any particular category, approval will be determined by management on a select to stay basis achieving the best fit with operational and business requirements.
- 2.3 There is no right of appeal against selection or non-selection for voluntary redundancy.
- 2.4 If a member of staff's application for voluntary redundancy is refused, they will not subsequently be selected for compulsory redundancy as part of the current proposals.

### 3. Redundancy Selection

- 3.1 The University will always seek to limit the direct threat of redundancy. The identification of a unit, section or area of the curriculum for closure will result in the people who work within it being declared redundant (unit closure) unless those staff are directly interchangeable with others elsewhere in the School or Service. Where there is a direct transferability of knowledge and skills between staff, pools will be expanded to include interchangeable staff in the School or Service.
- 3.2 Where there is a reduction in the numbers of staff who are genuinely interchangeable and an activity or function is being reduced, a range of assessment criteria will be used. Assessment will be used in areas of work where there is information available to allow objective quantifiable assessment of each member of staff against the selection criteria. Criteria will be based on retaining a workforce that has capacity and competence and therefore selection based on individual skill, knowledge and experience will be determined through specific criteria and weightings which reflect current and future workforce planning requirements. Disciplinary and capability matters will only be considered when formal procedures have been activated. Frequent short term or long-term sickness absence (unrelated to a disability) may be considered as a deciding factor. The selection criteria will be discussed with the relevant trade unions through the collective consultation process.
- 3.3 Recruitment to stay will be used where functions are being re-organised in a different way and the application of assessment criteria alone would be inadequate. Recruitment to stay involves the use of recruitment practices to appoint to posts in the new structure. Consideration will be given to the size and appropriateness of ring-fencing. Slotting in will be used as part of this process where posts are substantially unchanged and where the number of postholders is the same as or less than the number of posts available. Dismissal notices will be issued to members of staff who do not apply for jobs, do not attend interviews with satisfactory explanations or who are unsuccessful in the recruitment process.
- 3.4 The application of the selection criteria must be fair, objective, non-discriminatory and consistent in its implementation. In selecting staff, the overriding principles must be the maintenance of high-quality services and student experience avoiding unlawful discrimination. As part of any assessment process, opportunity will be given to members of staff to provide all relevant and appropriate details in relation to remaining in employment. Members of staff therefore who are not selected to stay in employment as part of an assessment process do not have the right to use this as grounds to appeal against a redundancy dismissal.
- 3.5 None of the methods described above need to be applied exclusively. The University will explain the reason why a particular method or combination of methods is proposed during the consultation process.

### 4. Support

- 4.1 Staff affected by redundancy proposals will have access to all support available including opportunity for advice, support, career guidance, access to the University's Staff Wellbeing Confidential Support and information offered by the University.

- 4.2 A member of staff selected for redundancy will be afforded reasonable paid time off work to find alternative work or make arrangements for retraining.

## 5. Process

The process is outlined below. This process will be subject to consultation with staff and trade unions and therefore specific details may be subject to change.

- Meetings held with staff to discuss proposals and consultation documents sent to the recognised trade unions.
- Individual letters sent to all staff directly impacted by proposed redundancy situation outlining options available.
- Opportunity for individual meetings with line managers/HR (individual has right to representation by trade union or friend).
- Individual application for voluntary redundancy if available, decisions notified to individuals.
- If applicable selection to stay process starts and decisions notified to individuals with detailed feedback on outcome.
- Dismissal notice issued.
- Where a member of staff is dismissed by reason of redundancy, they will be notified of their right to appeal against the decision to make their post redundant.
- Appeal submitted and notified of outcome by Appeal Panel.
- Opportunities for redeployment continue to be explored during the notice period.

## 6. Appeal

6.1 A member of staff has the right to appeal against the redundancy dismissal. The appeal must be submitted in writing and the member of staff should set out clearly the grounds for appeal in full.

6.2 The appeal should be based on the following grounds;

- Where the member of staff feels that the redundancy is unfair and / or
- Where there is evidence of procedural irregularities.

6.3 The appeal will be considered by a panel of three appropriate managers (who have not been previously involved with the redundancy process) and will include a Pro Vice-Chancellor. A member of Human Resources will be present at the appeal hearing.

6.4 The member of staff has the right to be accompanied and represented by a Trade Union representative, a colleague or a friend at the appeal hearing.

6.5 The member of staff will receive the outcome in writing within five working days of the appeal meeting.

6.6 There is no further right of appeal. This does not affect an individual's statutory rights.

## POLICY SIGN-OFF AND OWNERSHIP DETAILS

<b>Document name:</b>	Redundancy Policy
<b>Version Number:</b>	V 2
<b>Equality Impact Assessment:</b>	Completed 18/05/2018
<b>Approved by:</b>	JCNC following discussions with Director of HR and Trade Unions via Procedures Meeting.
<b>Date Approved:</b>	March 2024
<b>Next Review due by:</b>	March 2027
<b>Author:</b>	Head of HR / Director of HR
<b>Owner (if different from above):</b>	Director of HR
<b>Document Location:</b>	<a href="https://www.hud.ac.uk/media/policydocuments/Redundancy-Policy.pdf">https://www.hud.ac.uk/media/policydocuments/Redundancy-Policy.pdf</a>
<b>Compliance Checks:</b>	HRG SLT regularly review to ensure compliance
<b>Related Policies/Procedures:</b>	Redeployment Procedure

## REVISION HISTORY

<b>Version</b>	<b>Date</b>	<b>Revision description/Summary of changes</b>	<b>Author</b>
V1.1	November 2016	Formatting updates (minor amends not requiring committee approval)	HR Manager
V1.2	November 2019	Formatting updates (minor amends not requiring committee approval) and transference to new template.	HR Manager
V 2	March 2024	Review of policy and procedure with trade unions.	Head of HR Director of HR