

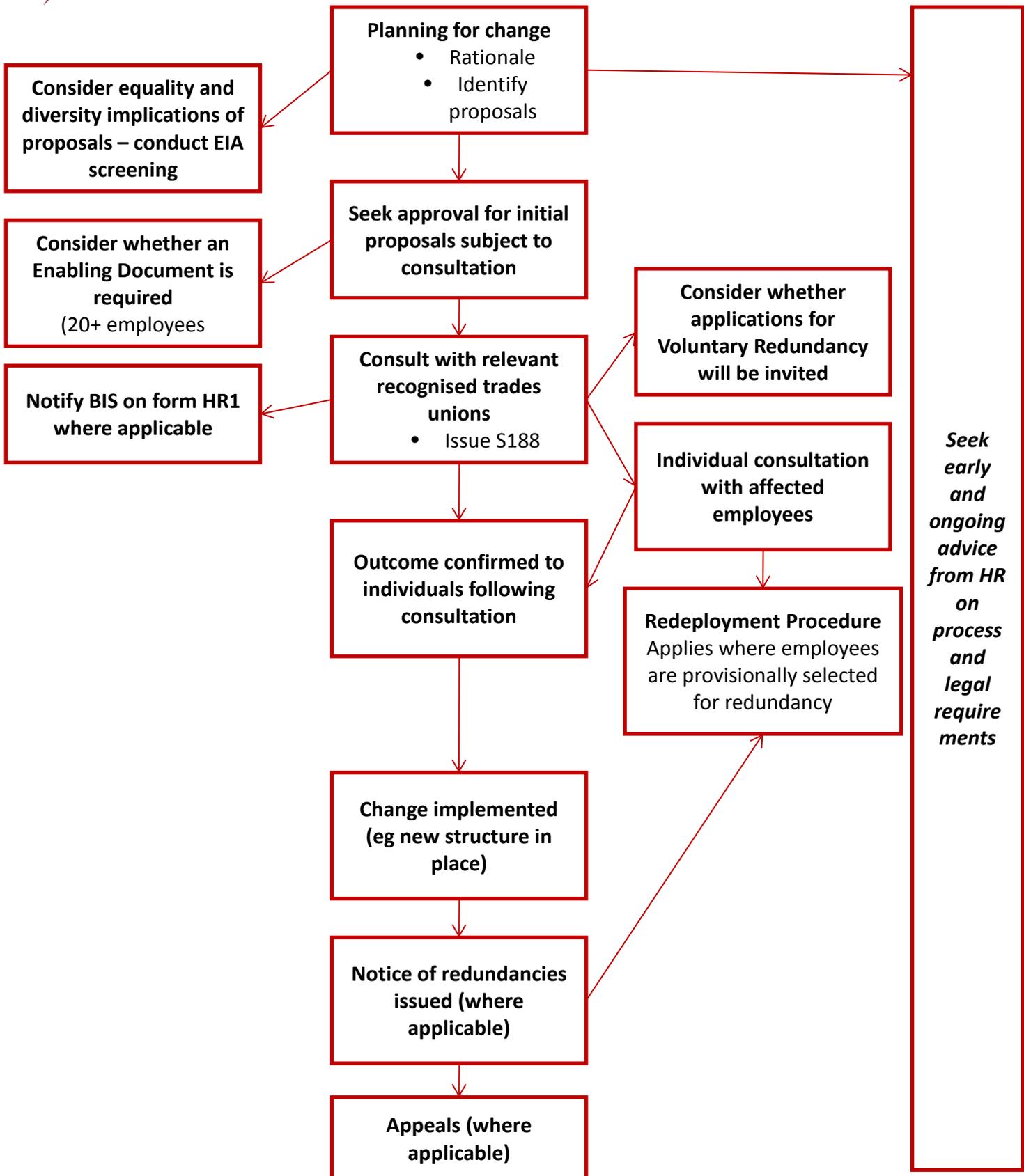
Managing Change: Restructuring and Redundancy

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Process Flowchart



1 Introduction and scope

- 1.1 It is the intention of De Montfort University to seek to provide, as far as possible, security of employment for all of its employees and, wherever possible, avoid making compulsory redundancies. This guidance is designed to help HR and managers carry out restructuring, re-organisation and redundancy exercises effectively and fairly and to help ensure consistency, legal compliance and good practice in the way the university carries out change.
- 1.2 This guidance is not intended for low impact or minor changes (for example, changes in job titles, changes in reporting lines, minor changes to job descriptions, etc.) although good practice dictates that even minor changes should be discussed with the employees affected so that they are adequately informed and understand the reason for change. As a general rule, this guidance should be applied where significant changes are proposed including significant departmental or team restructures, significant changes to working practices, or workforce reductions and redundancies. Advice should be sought from HR on whether this guidance applies where any organisational change is proposed.
- 1.3 Where applicable, the guidance should be applied alongside other relevant university policies and procedures, including:
- the Redeployment Procedure
 - the Redundancy Payments Policy
 - Pay Protection Policy
- 1.4 And the following collective agreements:
- Anticipated redundancy in the case of Hourly Paid Part Time Lecturers
 - Redundancy Situation – Teachers in Higher Education.
- 1.5 A [Glossary](#) of terms is provided at the end of this document.

2 Planning for change

- 2.1 Managers should clearly identify what needs to be achieved and the rationale for change to ensure transparency and openness throughout the process.
- 2.2 Managers should have an implementation date in mind and work backwards to map out the different stages, identifying key processes, necessary approval routes, resources, and roles and responsibilities.
- 2.3 Sufficient time should be allocated for the necessary internal and statutory processes (where applicable) eg collective and individual consultation, job evaluation, etc.
- 2.4 For significant restructures, managers should consider the use of an Enabling Document to help plan and manage the processes and timescales in a consistent way. An Enabling Document will be required as a matter of university policy where the proposals are likely to

result in the displacement and potential redundancy of 20 or more employees. The relevant recognised trades unions must be consulted on the content of the Enabling Document. A template for developing an Enabling Document is attached as an [appendix](#) to this guidance.

- 2.5 **Consideration must be given to the equality and diversity impact of any restructuring proposals and an Equality Impact Assessment will be required before decisions are taken. Guidance on conducting an EIA can be found on the intranet.**

3 **Approval**

- 3.1 The relevant PVC-dean/director has overall responsibility for significant change proposals within their areas and for ensuring that the required processes are followed.
- 3.2 Any significant change proposals including restructuring, redundancy or TUPE transfer proposals, will require the approval of the Director of POD and the relevant PVC-dean/director for the area potentially affected by the proposals. In the event that the change proposals potentially affect employees from more than one directorate/faculty, Executive Board approval should be sought before the process commences. It should be made clear at this initial stage, that these are proposals only and no decisions yet taken.

4 **Consultation and Communication**

- 4.1 The university is committed to full and meaningful consultation with employees and with the recognised trades unions regarding proposed organisational change.
- 4.2 Consultation should cover the proposals, the rationale for the proposals and the proposed processes for implementing the change.
- 4.3 Triggering the consultation process too early may have the effect of unnecessarily unsettling employees and this should be taken into account when planning the process and timescales for consultation. Consultation should commence when the contemplated restructure or redundancies are at proposal stage and before any firm decisions have been taken.
- 4.4 Where practicable, it may be appropriate in some situations for management to have an initial informal dialogue with the relevant recognised trades unions in advance of the start of the formal consultation on a confidential basis in order to promote effective employment relations between the university and the trades unions.
- 4.5 Where the proposals involve potential redundancies, consultation should be undertaken in 'good time' with a view to reaching agreement and, as a minimum, no later than the statutory timescales set out below. Managers should work backwards from when the first dismissal by reason of redundancy is proposed to take effect and plan accordingly.
- 4.6 Consultation must be meaningful with adequate time allowed for the trades unions and affected employees to properly consider the proposals and for management to fully consider any alternative proposals put forward.

- 4.7 Consultation must include ways to avoid, reduce the number, or mitigate the consequences of any possible redundancies. This may include (but may not be restricted to) considering:
- Imposing vacancy management processes to restrict the recruitment of new staff other than where this is essential;
 - Restricting the use of subcontract, casual and temporary (eg agency) staff;
 - Reducing the amount of overtime working;
 - Inviting applications for early retirement and/or voluntary redundancy.

5 Collective Consultation

5.1 Section 188 of the Trade Union and Labour Relations (Consolidation) Act 1992 ('TULRCA') sets out the statutory duty to collectively consult where it is proposed to dismiss as redundant 20 or more employees at any one establishment over a period of 90 days or less. For this purpose, the 'establishment' will mean the university and therefore there is a need to consider the total number of proposed redundancies within that 90 day period across the university as a whole. Fixed term contracts that are due to reach their agreed expiry date within the rolling 90 day period are excluded and do not need to be taken into account in terms of deciding whether the duty to collectively consult is triggered.

5.2 The statutory timetable for collective consultation set out in the table below should be regarded as a minimum requirement:

Employees to be dismissed at establishment over 90 day period	Minimum consultation period before first dismissal takes effect
20 – 99	30 days
100 +	45 days

5.3 There is no set period for collective consultation where proposed redundancies involve fewer than 20 employees but, as a matter of good practice, the university will normally apply as a minimum the 30 days' consultation period before the first redundancy dismissal takes effect. Where proposed changes involve fewer than 20 employees, a shorter consultation timescale may be determined between the manager and the employees affected/trades unions, where this is determined as appropriate in the particular circumstances.

Information to be provided to the trades unions

- 5.4 Certain information must be provided to the recognised trades unions by law in collective redundancy situations. The information must be in writing and provide (as a minimum) the following:
- The reason for the proposals;

- The numbers and descriptions of employees whom it is proposed to dismiss as redundant;
- The total number of employees of that description employed at the establishment;
- The total number of agency workers engaged;
- The areas of the business in which agency workers are utilised;
- The type of work agency workers are contracted to undertake;
- The proposed method of selecting employees for redundancy;
- The proposed method of carrying out the dismissals including the period over which the dismissals are to take effect; and
- The proposed method of calculating the amount of any redundancy payments.

5.5 The information must be provided during the course of consultation (although in certain situations it may be possible to commence consultation prior to all information being provided. This should only be done following discussion with HR).

Notifying the Secretary of State

- 5.6 In addition to consulting with the trades unions, it is necessary to notify the Secretary of State at the Department of Business, Innovation and Skills on form HR1 of proposed redundancy exercises involving 20 or more employees at any one establishment within a 90 day period.
- 5.7 The HR1 must be provided before any notices of dismissal are issued. Where 20-99 employees are affected, notification must be given at least 30 days before the first dismissal takes effect. Where 100 or more employees are affected the relevant time period is 45 days.
- 5.8 At the same time, a copy of the form HR1 should also be given to the appropriate recognised trades unions who are to be consulted.

Individual Consultation

- 5.9 As far in advance of the proposed implementation date (or proposed termination date) as possible, management will notify all potentially affected employees of the proposals and the processes to be followed (including, where necessary, details of the proposed selection criteria).
- 5.10 Depending on the scale of the proposals and the numbers potentially affected, it will be necessary to decide whether to communicate the proposals to employees in one group or in a series of smaller groups. The recognised trades unions for the areas affected should be invited to attend these sessions.
- 5.11 Individual consultation with affected employees will be required where an employee is provisionally selected for redundancy. As a minimum, this must take place prior to the issuing of any notice of dismissal. It is recommended that individual consultation lasts for a period of at least two weeks prior to any decision being made regarding the individual's dismissal for redundancy.

- 5.12 Where redundancies are proposed, the manager will write to each affected employee explaining the circumstances and inviting them to attend a meeting. The consultation meeting must include discussion regarding the rationale and the business reasons behind the restructuring and how the employee has been selected for redundancy; possible ways to avoid redundancy; and possible alternative work.
- 5.13 An employee may be accompanied by a trade union representative or a work colleague at any individual consultation meeting as long as this does not lead to undue delays in the process.
- 5.14 The manager will take due note of and give full consideration to any representations made by the employee before any decision is confirmed to the employee.
- 5.15 There is no maximum limit on the number of individual consultation meetings that may be held, however, it is expected that each employee who is provisionally selected for redundancy will be offered at least two individual consultation meetings before notice of redundancy is issued.
- 5.16 In the course of individual consultation employees will be informed of any entitlements they may have to a redundancy payment in accordance with the university's Redundancy Payments Policy.
- 5.17 Notices of dismissal for redundancy cannot be issued until both collective and individual consultation has been completed.
- 5.18 Where, following consultation, an employee is confirmed as selected for redundancy, written notice will be issued in accordance with contractual entitlements.
- 5.19 The university will continue to seek alternative employment for employees under notice of dismissal for redundancy for the remainder of their notice period in accordance with the Redeployment Procedure.

Communication

- 5.20 As well as collective and individual consultation, a communications strategy will need to be built into the process to help minimise the uncertainty for employees during any significant restructuring or redundancy exercise and to help ensure openness and transparency in the process.
- 5.21 Managers should consider appropriate methods of communication (eg newsletters, team briefings, road shows, intranet, email) taking into account the ability of affected staff to access the different types of media and any potential language, literacy or disability barriers that need to be taken into account.

Absent Employees

- 5.22 If employees are absent on long-term sick leave, unpaid leave, maternity/paternity/adoption/shared parental leave or any other form of extended absence

from work (including suspension under the Disciplinary Procedure), they must be consulted about any proposals that potentially affect them and have access to any communications to staff on the proposals.

- 5.23 Where an employee is invited to attend an individual consultation meeting while they are on a period of unpaid absence, payment for the time spent attending work for this purpose will be considered on a case by case basis.

Staffing the New Structure

Redeployment

- 5.24 Employees who are identified as being at risk of redundancy will be considered for posts in the new structure where a suitable alternative job in the new structure exists and there is a suitable skills match between the 'at risk' employee and a role in the new structure. The provisions of the university's Redeployment Procedure in relation to exclusive and/or ring-fenced interviews should be followed in these circumstances. Special provisions exist for employees on maternity/paternity/adoption leave – see below.
- 5.25 The method of staffing the new structure will depend on the particular circumstances but potential scenarios / methods are suggested below:

<p>Slotting</p>	<p>Slotting may occur where there is no change, or only minor changes, to an employee's role in the new structure and there are an equal number of posts available to employees who can be slotted in.</p> <p>If an employee could be slotted into more than one role in the new structure, expressions of preference will be considered but the final decision will rest with the relevant manager.</p>
<p>'Ring-fenced' interviews</p>	<p>This may be appropriate where:</p> <ul style="list-style-type: none"> • more than one employee could be slotted in to a new post in the structure • there are no employees that could be slotted, but the posts in the new structure are restricted to 'at risk' employees to apply for in the first instance, on a competitive basis. <p>In these cases, ring-fenced interviews will be held to select the most suitable candidate/s in accordance with the Recruitment and Selection Policy principles. An amended application process may be used where appropriate, eg substituting the requirement to complete a full application form with an 'expression of interest' type process.</p>
<p><u>Redundancy selection criteria</u></p>	<p>Redundancy selection criteria may be used where there is a need to select employees for redundancy from a 'pool'. (See more below).</p>

5.26 Where applicable, the proposed method of staffing the new structure should be clearly set out within the Enabling Document (see example template in the [appendix](#)) to ensure the process is transparent, objective and fair for all affected employees.

5.27 Employees who are not successful in securing a job in the new structure will be provisionally selected for redundancy and should be invited to individual consultation meetings in accordance with this guidance. Where an employee is provisionally selected for redundancy, they will be entitled to access the provisions of the university's Redeployment Procedure.

6 **TUPE**

If an area of work is to be externalised (or is being brought in-house) consider whether the TUPE (Transfer of Undertakings (Protection of Employment)) Regulations apply and seek advice from HR.

7 **Redundancy**

7.1 It should always be made clear at the start of any restructuring exercise that the intention will be to absorb as many employees as possible in the new structure or through redeployment elsewhere in the university.

7.2 Where a restructuring exercise is likely to result in redundancies, any redundancies must be genuine. A genuine redundancy may occur where any of the following applies:

- A cessation of business by the employer;
- A cessation of business at the employee's workplace; or
- A cessation or diminution of the employer's requirement for employees to carry out work of the particular kind undertaken by the employee.
- A cessation or diminution of the employer's requirement for employees to carry out work of the particular kind undertaken by the employee in the place where the employee was employed by the employer. (The latter two will be the most common reasons for redundancies within the university).

7.3 Employees at risk of redundancy must be identified objectively and candidates selected for redundancy fairly.

7.4 Meaningful consultation must take place in accordance with this guidance and all reasonable steps taken to consider redeployment as an alternative to redundancy.

Voluntary Redundancy

7.5 Voluntary redundancy may be considered where there is a clear business case to justify the associated costs and the possibility of redeployment has been considered.

7.6 The university may at its discretion invite applications for voluntary redundancy following consultation with the appropriate recognised trades unions to minimise the need to make

compulsory redundancies. Depending on the circumstances prevailing at the time, the following principles will normally apply:

- The confidentiality of individuals expressing an interest in being considered for voluntary redundancy must be preserved and information shared only on a strict 'need to know' basis;
- There will be a fixed period in which applications will be accepted;
- The invitation for applications or an indication of willingness to consider voluntary redundancy from an employee will not imply any commitment on either part;
- The agreed terms for redundancy payment will be made clear in each instance;
- Any employees indicating willingness to consider voluntary redundancy will be able to discuss their position and details of redundancy pay with their manager as part of their individual consultation;
- Any applications to be considered for voluntary redundancy will not in any way influence or affect decisions made in respect of applications for alternative employment within the university or prejudice the employee's continuing employment in any way;
- The university reserves the right to select those employees that will be offered voluntary redundancy;
- If there are more volunteers within the area affected than are required, the decision made will ensure there is a balanced workforce with the requisite skills to meet the future needs of the university;
- There is no guarantee that voluntary redundancy requests will be granted;
- The university's decision is final;
- Once an application for voluntary redundancy is submitted, and subject to the university's acceptance of the application, this becomes a binding and irrevocable commitment.

7.7 Employees should not be given any guarantees that they may take voluntary redundancy until the necessary approvals have been obtained.

7.8 Employees accepted for voluntary redundancy will no longer be able to access the university's Redeployment Procedure or be considered for alternative employment within the university.

Other voluntary measures

7.9 Where voluntary measures are being considered for employees at risk of redundancy (eg voluntary severance, voluntary reductions in hours, phased or flexible retirement options), the university may decide to extend these options to the wider workforce where it is reasonable to expect that this will help mitigate the effects or help reduce the numbers of compulsory redundancies.

Redundancy Selection Criteria

7.10 The application of selection criteria may be required depending on the type of redundancy situation, for example, where there is a general need to reduce the workforce as a whole or the number of employees engaged in a particular type of work. In these circumstances, employees at risk of redundancy will be placed in a selection 'pool' and the selection criteria applied in order to provisionally select candidates for redundancy from the pool.

- 7.11 If criteria are used to provisionally select candidates for redundancy, they must reflect the future needs of the university and be capable of objective measurement, be non-discriminatory and consistently applied.
- 7.12 Consultation with the trades unions is required where redundancy selection criteria are proposed, with a view to reaching agreement.
- 7.13 The selection criteria may include some or all of the following, but the list is not exhaustive:
- Qualifications/training
 - Experience (gained in a formal or informal setting)
 - Skills/knowledge/aptitudes
 - Productivity
 - Flexibility
 - Attendance record
 - Disciplinary record
 - Performance
 - Physical skills, if relevant to the duties of the post (eg lifting ability)
 - Others eg (i) ability to work required rota system
(ii) possession of driving licence
- 7.14 In some cases management may wish to weight the criteria to reflect their relative importance to the future requirements of the posts that will remain.
- 7.15 When attendance records are to be used the university will carefully assess the reasons for absences. Absences relating to pregnancy/maternity and disability will be discounted.
- 7.16 Where both disciplinary and attendance records are being taken into account, care will be taken not to penalise an employee by 'double counting' ie a disciplinary warning for absence would be an example of 'double counting'.
- 7.17 Where performance is a criterion, assessments will be undertaken by at least two people who are able to properly assess the individual to ensure objectivity.
- 7.18 If it is not possible to differentiate between employees on the basis of criteria designed to ensure the retention of a skilled, balanced and experienced workforce, then length of service will be taken into account. Only continuous service with the university will be taken into account in deciding who is selected.

Employees on maternity/paternity/adoption/shared parental leave

- 7.19 In accordance with relevant legislation, an employee on maternity/ adoption/shared parental leave who is to be made redundant must be offered any suitable alternative vacancy available in preference to other employees. HR will advise where this provision applies.

- 7.20 Redundancy during maternity/paternity/adoption/shared parental leave will end the contractual obligations to both occupational maternity/paternity/adoption/shared parental pay and the right to return. Statutory maternity/paternity/adoption/shared parental payments are not affected and continue until the end of the maternity/paternity/adoption/shared parental pay period, or until the employee starts work for a new employer.
- 7.21 Any payments made to the employee in respect of maternity/paternity/adoption/shared parental pay go towards meeting the university's obligation in respect of notice pay.
- 7.22 If an employee who is pregnant or on maternity/paternity/adoption/shared parental leave is dismissed they are entitled to written reasons for the dismissal regardless of their length of service. This does not need to be requested by the employee.

Redundancy Pay

- 7.23 Entitlements to a redundancy payment are set out in the university's Redundancy Payments Policy.

Alternative Employment

- 7.24 The university will make every effort to seek alternative employment within the university for employees provisionally selected for redundancy in line with the Redeployment Procedure which should be applied alongside this guidance and the Enabling Document (where an Enabling Document is to be used).
- 7.25 Where alternative employment cannot be found within the university, assistance may be provided to help employees obtain employment outside of the university during their notice period. This may include reasonable provision of resources eg access to computer, internet, stationery, photocopying, and telephone facilities to look for work and apply for vacancies.
- 7.26 Subject to operational requirements, employees will be entitled to reasonable time off work during their notice period to look for work or to seek re-training opportunities. Requests for time off should be made in the first instance to the employee's manager.
- 7.27 If an offer of suitable alternative employment is made (including by an organisation covered by the Redundancy Payments Modification Order), but the employee unreasonably refuses to accept it, the employee will lose their right to a redundancy payment - see Redundancy Payments Policy for more details.

Trial Periods

- 7.28 An offer of alternative employment is subject to a statutory four week trial period if any term of the new contract differs from the corresponding term in the old contract eg place of work or terms and conditions. If an employee is redeployed under the provisions of the Redeployment Procedure, the work trial provisions within the Redeployment Procedure will need to be followed where applicable.

Support for Staff

- 7.29 It should be recognised that the process of change can be a stressful experience for all concerned and employees should be made aware of the support mechanisms that are available to them.
- 7.30 If employees have concerns they should speak to their manager in the first instance. They may also contact their trade union if they are a member or a member of the HR team.
- 7.31 Managers should consider a Stress Risk Assessment (Team Stress Risk Assessment or Individual Stress Risk Assessment/Action Plan) as appropriate.
- 7.32 Employees should be advised of the support available via the university's Employee Assistance Programme (EAP) – details on the POD intranet.
- 7.33 Where outplacement support is available, employees should be advised of how they can access this service.

Appeals

- 7.34 If an employee under notice of dismissal by reason of redundancy wishes to appeal the decision, they must lodge their appeal, specifying their grounds, in writing with the Director of POD within five working days of the notice of redundancy being served. The Director of POD will make the necessary arrangements for the appeal to be heard in the first instance in accordance with the delegated powers outlined in the university's Scheme of Delegation.
- 7.35 If the appeal is not upheld, the employee will remain under notice of dismissal.

Glossary

- At risk of redundancy** An employee may be 'at risk' of redundancy where there is a need to reduce the number of posts of a certain kind and all employees occupying those posts are placed into a 'pool' for selection. It is also possible to be at risk of redundancy where posts are to be deleted but the employee has the opportunity to apply for posts in the new structure, usually on a ring-fenced basis. Being at risk of redundancy does not mean that the employee will necessarily be made redundant. Any proposals are also subject to consultation and therefore subject to change.
- Provisionally selected for redundancy** An employee is provisionally selected for redundancy where they have been selected for redundancy from an 'at risk pool' (see above) for example, following the application of redundancy selection criteria or following ring-fenced selection processes. They may also be provisionally selected for redundancy where their stand alone post has been provisionally deleted (a 'pool of one'). Being provisionally selected for redundancy does not mean an employee will necessarily be made redundant and is subject to consultation. The employee may also be successful in securing alternative employment via the Redeployment Procedure.

APPENDIX: Enabling Document

(Subject to consultation and therefore subject to change)

This document is to be used in conjunction with the Managing Change – Restructuring and Redundancy Policy.

[INSERT TITLE OF THE PROPOSED RESTRUCTURE]

[DATE]

[VERSION]

1 Introduction

- 1.1 This document maps out the ‘people aspects’ of managing change, identifying the people management issues and processes to support the new organisational arrangements proposed by the review of the [name of the review].
- 1.2 The arrangements set out in this document will be subject to consultation with the recognised trade unions and are therefore subject to change.

2 Reason for change

[Insert business need for change, eg is the proposed change in response to changes in student numbers, curriculum provision, funding, economic constraints, etc.]

3 Core Principles

The following core principles will apply to the process:

- the process will be applied fairly and consistently to all affected employees and consultation will be timely and meaningful;
- as many affected employees as possible will be transferred to other reporting lines, absorbed into the new structure or redeployed into alternative posts;
- if appropriate, appointment processes will commence with the most senior post in each affected area;
- the application of the Enabling Document will be based on substantive posts (ie not posts that employees are seconded or acting up into);
- support will be offered to affected employees via 1:1 consultation meetings;
- an Equality Impact Assessment of the proposed changes will be conducted;
- a Health and Safety Risk Assessment will be undertaken during the course of consultation, where appropriate.

4 Consultation

- 4.1 The proposed changes to the [name of the review area] will be subject to a formal period

of consultation in accordance with the Trade Union and Labour Relations (Consolidation) Act 1992 for a period of at least [30/45] days.

- 4.2 Consultation is the process of jointly examining and discussing areas of concern to management, affected employees and recognised trade unions. Consultation involves seeking mutually acceptable solutions through a genuine exchange of views and information. Affected employees and recognised trade unions will be provided with a fair and proper opportunity to understand fully the matters about which they are being consulted, to express their views, with the university then considering those views properly and genuinely.
- 4.3 Consultation will be meaningful and employees (via their trades union representatives and/or during individual consultation meetings) will have an opportunity to:
- contribute alternative suggestions and feedback on the processes
 - explore the possibility of alternative working arrangements and alternative employment
 - contribute alternative suggestions and feedback including, where appropriate, ways of avoiding, reducing or lessening the effects of any potential redundancies and
 - where applicable, challenge redundancy selection processes.
- 4.4 Employees who are absent from work (including those on maternity/adoption/paternity leave or sickness absence), will not be precluded from the change process and will be consulted with via their manager.

5 **Timescales and implementation**

- 5.1 The aim is for the revised structure/s to be implemented from [implementation of new structure date]. The table below gives an indicative timescale and stages of the proposed change process; these proposed timescales may be altered in the light of operational issues and/or as a result of changes brought about by the consultation process.

A project plan/implementation timetable will be developed detailing how this will be achieved. OR

The proposed timescales for implementation are set out below:

- 5.2 All new posts, and those with significant changes to duties/responsibilities, will have new job descriptions, and be subject to job evaluation to determine the grade. Therefore, until this process is complete any grades referred to remain indicative only.

6 **Filling posts in the new structure**

- 6.1 It is proposed that the following process will be followed:

Informing employees of the impact of the current proposals

- 6.2 Employees will be informed in writing whether they are at risk of redundancy, or whether they have been provisionally selected for redundancy. They will also be advised of the

proposed method of staffing the new structure and any pooling arrangements that apply to them. See [Selection Process for staffing the new structure / provisional selection for redundancy](#) below.

6.3 Selection Process for staffing the new structure / provisional selection for redundancy [*Insert details of the proposed process to be followed (see [suggested methods in the Managing Change policy](#). See examples below for sample wording dependent on the methods being used)*].

6.4 The selection process for staffing the new structure and/or provisional selection for redundancy will be as fair, transparent and objective as possible. The overall objective must be to retain good quality staff with the appropriate skills required to enable the university to achieve its strategic objectives, whilst delivering efficiency savings.

6.5 The PVC-dean/director/Director of POD will be responsible for reviewing proposals and changes to structures and alternative working practices for those at risk of redundancy.

7 **Pooling Arrangements**

7.1 Redundancy selection pools will be determined by the posts affected by the changes in the structure and subject to the following:

- Proposed selection pools will be determined locally by Deans/Directors following advice from HR;
- Pooling arrangements will be the subject of meaningful consultation with the recognised trades unions;
- Employees will be placed in the pool that is relevant to their substantive post rather than any post into which they are seconded or acting up;
- Any employee who is placed into a pool is at risk of redundancy (subject to provisional selection and consultation);
- A selection process will take place to identify employees that are provisionally selected for redundancy from the 'at risk' pool.

7.2 Where an employee is occupying a post that has been identified as at risk of or provisionally selected for redundancy, but where the employee occupying that post is on notice with a confirmed effective date of termination within the period of the workforce reductions exercise, that post will be removed from the 'at risk' pool before the start of the selection exercise and the post will be deleted via 'natural wastage'.

7.3 Where there is a proposal to delete an employee's post and they are not in an 'at risk' pool (or they are in a 'pool of one'), the employee will be provisionally selected for redundancy, subject to consultation and the university's Redeployment Procedure.

8 **Slotting in**

Employees will be slotted into a role where there is no change, or only minor changes, to an employee's role in the new structure and there are an equal number of posts available to employees who can be slotted in. Slotting in assessments will be conducted by

Deans/Directors supported by HR.

9 **Ring fenced selection process**

- 9.1 Where there is more than one employee with a slotting in claim to a new post in the structure, the employee will be invited to compete in a ring-fenced selection/skills assessment process.
- 9.2 Where slotting in does not apply, employees at risk of redundancy within a selection pool will be invited to apply for suitable alternative roles in the new structure. A role will be considered potentially suitable where it is at the same grade, or no more than two grades below the employee's existing post (in accordance with the Redeployment Procedure) and there is a suitable skills match between the 'at risk' employee and the role in the new structure. In these cases, ring-fenced interviews will be held to select the most suitable candidate/s.
- 9.3 Where applicable, expressions of preference for roles in the new structure will be considered but the employee's preferred choice cannot be guaranteed.

10 **Individual consultation**

- 10.1 Employees who are at risk of redundancy or provisionally selected for redundancy will be invited to an initial individual consultation meeting to discuss the proposals and have the opportunity to raise any queries or concerns they may have about the process. The initial individual consultation meeting will also be an opportunity for the employee to receive information about the voluntary redundancy scheme and how they may apply for VR if this is something they wish to consider.
- 10.2 Individual consultation is the opportunity for affected employees to have relevant issues considered by the university. Where an employee wishes to challenge a pooling proposal or slotting in decision, the Director of POD will consider their grounds for challenging the proposal/decision before feeding back to the employee and their manager the outcome. The manager will then feedback to the employee the decision in respect of the employee's challenge via the individual consultation process.
- 10.3 Individual consultation meetings will be conducted by relevant managers who may be accompanied by another manager, if they wish, for support and to assist with note taking. Any employee invited to attend such a meeting will be given the opportunity to be accompanied by a trades union representative or work colleague if they wish, although meetings will not be unreasonably delayed due to the non-availability of a companion. Managers should seek advice from HR where the non-availability of the employee's chosen companion may lead to delays in the process.
- 10.4 It is envisaged that where employees are provisionally selected for redundancy (either because their post is proposed for deletion, or because they have been unsuccessful in securing a post in the new structure), they will be invited to **at least two** further individual consultation meetings (in addition to the initial meeting referred to above) before notice of redundancy (if required) is served. At these meetings the employee will have the

opportunity to make any representations they see fit which might affect their employment, including representations regarding the redundancy process.

10.5 The Grievance Procedure does not apply to this process.

11 Voluntary Redundancy

11.1 Any employee at risk of compulsory redundancy may apply for voluntary redundancy (VR). Applications for VR from employees at risk of redundancy will be considered between [DATE] and [DATE]. VR applications will be subject to the following:

- The confidentiality of individuals expressing an interest in being considered for voluntary redundancy must be preserved and information shared only on a strict 'need to know' basis;
- The invitation for applications or an indication of willingness to consider voluntary redundancy from an employee will not imply any commitment on either part;
- Any employees indicating willingness to consider voluntary redundancy will be able to discuss their position and details of redundancy pay with their manager as part of their individual consultation;
- Any applications to be considered for voluntary redundancy will not in any way influence or affect decisions made in respect of applications for alternative employment within the university or prejudice the employee's continuing employment in any way;
- The university reserves the right to select those employees that will be offered voluntary redundancy;
- If there are more volunteers within the area affected than are required, the decision made will ensure there is a balanced workforce with the requisite skills to meet the future needs of the university;
- There is no guarantee that voluntary redundancy requests will be granted;
- The university's decision is final;
- Once an application for voluntary redundancy is submitted, and subject to the university's acceptance of the application, this becomes a binding and irrevocable commitment.

11.2 The terms of VR will be in accordance with the university's Redundancy Payments Policy.

11.3 Employees should not be given any guarantees that they may take voluntary redundancy until the necessary approvals have been obtained.

11.4 Employees accepted for voluntary redundancy will no longer be able to access the university's Redeployment Procedure or be considered for alternative employment within the university.

12 Redundancy

12.1 Once meaningful consultation has been completed, and the employee has not secured a post in the proposed new structure they will be selected for redundancy. Where this

applies, the employee will be invited to a meeting at which notice of dismissal by reason of redundancy will be served.

12.2 Where an employee is entitled to a redundancy payment, this will be in accordance with the university's Redundancy Payments Policy.

13 Redeployment

To mitigate the risk of compulsory redundancies, the university will make every effort to find alternative work for employees who are provisionally selected for or on notice of redundancy. Following the issue of notice of termination of employment by reason of redundancy, the university will continue to seek suitable alternative employment for the employee throughout their period of notice in accordance with the Redeployment Procedure. Where employees have not obtained alternative employment during their notice period their employment will terminate by reason of redundancy at the end of their notice period.

14 Employees on maternity/adoption/paternity leave

Where an employee on maternity, adoption or additional paternity leave is to be made redundant, they enjoy preferential treatment in terms of 'suitable alternative employment'. Managers should seek more detailed advice from HR where this may apply.

15 Outplacement

Insert details where outplacement is being offered. Managers should seek advice from HR on the outplacement support available and how to access this.

16 Appeals

Any appeals against dismissal by reason of redundancy will be considered in accordance with the Managing Change – Restructuring and Redundancy Policy.

17 Contacts

The management contacts for this process are:

<u>Name</u>	<u>Post Title</u>	<u>Extension</u>
[Name]	[Post Title]	[Number]

The representatives from the recognised trades unions, for this process are:

<u>Name</u>	<u>Union</u>	<u>Extension</u>
[Name]	[Union]	[Number]
[Name]	[Union]	[Number]

[Name]
[Name]

[Union]
[Union]

[Number]
[Number]

Employees may contact any of the representatives from their trades union.

18 **Communication**

It is intended that regular and clear lines of communication will be put in place to ensure all affected employees understand the proposals, the reason for the proposals, the processes to be followed, how they may become involved in influencing the process, and the appropriate forums for making their views known. This may include:

- group meetings with affected employees
- consultation meetings with the recognised trades unions relevant to the work area/s affected
- one to one meetings with affected employees
- letters and email communication
- briefing notes and FAQs.

19 **Support for employees**

It is recognised that some employees may find this process difficult. Management are committed to as smooth a transition as possible to the new structure.

If employees do have concerns they should speak to their manager as soon as possible so that appropriate information and support can be offered. Employees may also contact their trades union representatives or wish to talk with their colleagues/peers within [name of area affected].

Employees should be aware of the counselling support available via the university's Employee Assistance Programme (EAP) – details available on the POD intranet.