



REDUNDANCY POLICY

This policy outlines the University’s approach in cases of potential redundancy and details any additional matters to be considered.

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1 Purpose and scope

- 1.1 The University values the contribution of all its staff and aims, as far as possible, to provide job security and continuity of employment for all staff.
- 1.2 There are however occasions when the changing needs of the University, or changes in external factors (e.g. technological development, changes in external funding, increased costs, reduced student demand etc.) will have an impact on staffing requirements and may lead to a potential redundancy situation.
- 1.3 The aim of this policy is to ensure that a fair and consistent approach is adopted in the management of any situation which may potentially result in redundancies, to seek to avoid or reduce the number of redundancies and to further detail any additional matters which should be considered when doing so.
- 1.4 The policy applies to all employees of the University, except for employees who are on a fixed term contract which is expiring on its expected end date. It does not apply to workers, agency workers, consultants, honorary staff or self-employed contractors.
- 1.5 This policy is not contractual, and the University reserves the right to amend this policy as necessary to meet any changing requirements or legal obligations placed upon it, or where it is otherwise deemed appropriate.

2 Definition of redundancy

- 2.1 An employee is dismissed by reason of redundancy if the circumstances of their dismissal fall within the definition of redundancy set out in s.139 of the Employment Rights Act 1996:
 - The employer has ceased, or intends to cease, to carry on the business for the purposes of which the employee was employed, or to carry on that business in the place where the employee was so employed; or
 - The requirements of the business for employees to carry out work of a particular kind, or to carry out work of a particular kind in the place where they were employed by the employer, have ceased or diminished, or are expected to do so.
- 2.2 Redundancies may occur if, for example: it is deemed necessary to reduce the level of staffing because of reduced student intake; it is deemed necessary to close a department or cease the provision of a particular service; or, where a school or departmental restructure for any other reason results in fewer or different roles being available.

3 Measures to avoid redundancies

3.1 Measures to avoid redundancies should be sought wherever possible. Such measures should be discussed during any consultation period if redundancies are proposed, as well as during any subsequent notice periods. Measures may include:

- Natural wastage (i.e. not automatically replacing individuals who resign or are dismissed for other reasons);
- Restrictions on recruitment (e.g. vacancy freezes or advertising appropriate vacancies to internal applicants only);
- Provision of reasonable training or re-training for redeployment (see the University's Redeployment Policy for further details);
- Reduction or elimination of overtime;
- Reducing or amending hours of work either on a permanent basis or on a temporary basis;
- Consideration of flexible working arrangements and career breaks/leave of absence;
- Seeking applications for early retirement or voluntary redundancy (NB: the University reserves the right to refuse such applications as deemed necessary); or
- Terminating the engagement of agency staff.

4 Consultation process

4.1 Before any consultation process commences, a rationale for the proposed organisational change will be produced by an appropriate senior manager. This will detail:

- the reason/s for the proposed change – i.e. the issues/challenges that need to be addressed and options for doing so;
- the reason/s for the requirement for the proposed redundancies;
- the number of employees affected, including the job titles and grades of employees whose positions are at risk;
- the selection process that will be followed as appropriate (see Section 5 – Selection criteria below for further detail);
- the timeframe in which the changes are proposed to take effect and therefore the potential date or timeframe in which any proposed redundancies may also take effect; and
- options and alternative employment opportunities available to avoid compulsory redundancies.

- 4.2 An Equality Impact Assessment will also be carried out before any consultation period commences, to assess any impact the proposals or process may have on individuals with any protected characteristics and to consider how those may be mitigated.
- 4.3 Depending on the numbers of employees at risk of redundancy, the University may be required to collectively consult with recognised trade unions on the proposals as well as consulting directly with the individuals concerned, as follows:
- 4.4 Collective Consultation: where it is being considered that 20 or more employees (excluding employees who are on a fixed term contract which is expiring on its expected end date) may be dismissed by reason of redundancy at a single establishment within a 90-day period, there is duty on the University to consult collectively with the recognised trade union (UCU for academic staff and UNISON for professional services staff) for the following periods:
- Where 20-99 staff may be at risk of redundancy, there is a duty to consult for a minimum of 30 days before the first dismissal on the grounds of redundancy takes effect (i.e. date of termination);
 - Where 100 or more staff may be at risk of redundancy, there is a duty to consult for a minimum of 45 days before the first dismissal on the grounds of redundancy takes effect.
- 4.5 Where collective consultation is not required, an appropriate timeframe for the consultation period will be determined based on the number of individuals potentially impacted and therefore the number of meetings that will be required, as well as the proposed timeframe for the associated changes to be implemented if confirmed. As the process progresses, consideration will be given as to whether an extension to the original consultation timeframe is required.
- 4.6 The purpose of consultation is to provide an opportunity for the University to explain the identified reasons for the proposed redundancies. The consultation process should involve consideration of alternative proposals with a view to reaching agreement on ways of avoiding redundancies wherever possible or, where avoidance is not possible, reducing the number of employees to be dismissed on the grounds of redundancy and how to mitigate the effect of the dismissals where they are required.
- 4.7 In addition to collective consultation but running concurrently to it, or instead of collective consultation where it is not required, employees at risk will be consulted on an individual basis. Where collective consultation is not required, the recognised union will normally still be notified, on a strictly confidential basis, of the proposals and their potential impact so they are able to support any individual union members through the process, if needed.
- 4.8 Irrespective of whether collective consultation is required, all employees who are at risk of redundancy will be invited to an initial meeting with the consulting manager. This initial meeting may be with all affected employees as a group or with each one individually (whichever is deemed most

appropriate by the consulting manager depending on the nature of the proposals, number of employees affected etc.). A member of HR will also normally be in attendance to support the process.

4.9 At the meeting the employee/s at risk will be advised: -

- that they are regrettably at risk of redundancy;
- why and how they have been identified as being at risk of redundancy and what alternative options were also considered prior to making the proposal;
- *(If part of a 'pool' – see Section 5 – Selection Criteria below for further details)* the way in which they may be selected for redundancy;
- the period of time over which it is proposed any redundancies are to be implemented if required; and
- the possibility of alternative employment and confirmation that alternative employment opportunities will continue to be sought throughout the consultation process and, if appropriate, throughout the notice period.

4.10 A second meeting will also be offered and arranged with each individual employee. At this meeting each employee will be given the opportunity to submit any further representations which have occurred to them since the initial group or individual meeting. Written representations may also be invited from employees during the consultation process.

4.11 Further individual consultative meetings may be necessary depending upon the level of input from the employee concerned, information that needs to be discussed on an individual basis (e.g. application of selection criteria or redeployment) and the timescale of the change process.

4.12 The consultation process will provide the employee with the opportunity to respond to the proposed redundancy and to make representations as to how their redundancy may be avoided or the effects of the potential redundancy minimised for them.

4.13 Should the employee consistently fail to or decline to engage with the consultation process or any associated selection process required (see section 5 below), or for any reason they indicate that they are unable to participate in the process for what may be a prolonged period of time, the University may determine it necessary to conclude the consultation or selection process without their representations and based on information otherwise available. Employees are therefore encouraged to participate in the processes required to ensure their representations can be fully considered in any decisions reached.

4.14 All representations and counterproposals received will be fully considered by the consulting manager before any final decisions are made. Where the final decision is to dismiss an employee by reason of

redundancy, the notice of redundancy will be communicated in writing. The notice of redundancy will set out the following:

- an explanation as to the reasons for redundancy, including consideration of any submissions made by the employee/s concerned;
- a calculation of the Statutory Redundancy Pay due; and
- details of the right of appeal (see Section 8 – Appeals below for further details).

4.15 Employees who are dismissed by reason of redundancy are entitled to a period of notice as stated in their contract of employment (or the statutory minimum notice period required if greater). Some or all of the notice period may be paid in lieu however, should it be operationally justifiable to do so or should be it be mutually agreed with the employee/s concerned for any other reason.

5 Selection pools and selection criteria

5.1 In any potential redundancy situation, it is important to consider who should be placed at risk of redundancy and included in the redundancy 'pool'. Where it is needed to reduce the total number of staff doing the same or similar work, and therefore more than one employee is potentially affected, a redundancy 'pool' will be identified by the University. However, a redundancy 'pool' will not always be a group of employees and may consist of only one person in some circumstances. This will be the case where the particular kind of work that a specific employee undertakes ceases or reduces, and they are the only person doing that particular work. HR will support and advise the manager in ensuring they identify the appropriate individual/s to be included in the 'pool'.

5.2 Where there is more than one employee in the 'pool', objective criteria will need to be established to identify how to reduce the future total number of staff employed to do that work. The criteria will normally take the form of the job description/s and person specification/s for any new role/s required, and the employees within the 'pool' will be required to participate in a competitive selection interview process to determine who is offered one of the remaining roles available.

5.3 Alternatively, and if it is deemed more appropriate, a points-based scoring system may be used against defined objective criteria. When considering such criteria for selection, there will be a need to ensure that the balance of skills and experience within the remaining workforce is appropriate to the University's future needs. Examples of such criteria are:

- the skills, experience and aptitude of the employee;
- their standard of work performance;
- their disciplinary record (i.e. any current disciplinary warnings/sanctions).

The chosen criteria must be consistently applied and there must be objective evidence to support selection on any basis. Care should also be taken to ensure that any points-based selection criteria

are not directly or indirectly discriminatory on the grounds of any protected characteristics. HR will support and advise the manager in ensuring they identify fair and appropriate selection criteria.

- 5.4 Employees concerned will be informed of the points-based selection criteria being used and how it will be applied and scored. As part of the consultation process they will also be able to provide feedback on the proposed pools and selection criteria, how it will be assessed etc., and to suggest alternatives for the University's consideration. Where employees are selected for redundancy through a points-based scoring system, they will be provided with details of their individual score when they are issued with notice of their dismissal.

6 Alternative employment

- 6.1 Employees at risk of redundancy will be entitled to be considered for any 'suitable alternative employment'. Further details in relation to how 'suitable alternative employment' is defined, identified, and offered are included in the University's Redeployment Policy.
- 6.2 Any employee who is formally notified that they are at risk of redundancy, or who is subsequently given notice of dismissal because of redundancy, is entitled to reasonable time off during working hours to look for another job or to make arrangements for training for future employment. Individuals should notify their line managers as soon as possible of any such time off they may require so that such requests can be considered and accommodated against operational needs wherever possible.

7 Redundancy payments

- 7.1 Employees who are confirmed as redundant and who have at least 2 or more years' continuous service at the date of dismissal will be entitled to receive a Statutory Redundancy Payment (SRP), calculated in line with [Gov.uk guidelines](#). HR will provide to any employees at risk of redundancy, details of their potential redundancy payment upon request during the consultation period and in any notice of dismissal letter subsequently required.
- 7.2 For those who do not have set earnings (i.e. do not have an annual salary or set working hours per week), Statutory Redundancy Pay calculations will be based on average earnings of the 12-week period leading up to their dismissal, subject to the statutory weekly pay cap.
- 7.3 All redundancy payments will be made in accordance with [Gov.uk guidelines](#).
- 7.4 All other normal contractual payments will be included in the final pay. Staff will normally be expected to use any outstanding accrued annual leave prior to the end of their employment. In exceptional circumstances, payments may be authorised for untaken accrued annual leave at date of leaving.

- 7.5 Employees will not be entitled to a redundancy payment if they are dismissed for reasons other than redundancy; if they have secured “suitable alternative employment” at the University in accordance with the Redeployment Policy; or if they leave before the expiry of their notice period for reasons not related to redundancy.
- 7.6 Employees on fixed term contracts of 2 or more years’ continuous service may also be entitled to a redundancy payment, for example, where the contract is not renewed due to loss of further funding, or due to the completion of a project. For further details of when termination or expiry of a fixed term contract may result in eligibility for a redundancy payment, please contact Human Resources.

8 Appeals

- 8.1 When issued with their notice of dismissal on grounds of redundancy the employee concerned will also be advised of their right of appeal.
- 8.2 An appeal against the decision to dismiss should be submitted in writing, to the individual specified in the notice of dismissal letter, within 5 working days of receipt of the written notice to dismiss, setting out the grounds for their appeal.
- 8.3 On receipt of an appeal, a senior manager of the University will be identified to hear the case. The employee concerned will have the right to be represented by a trade union representative or a work colleague throughout the appeal process.
- 8.4 The senior manager appointed to consider the employee’s appeal will arrange to meet with the employee concerned as soon as reasonably practicable. The appeal process will be supported by a representative from the HR department.
- 8.5 At the appeal hearing the employee will have the opportunity to state their grounds of appeal and to submit any additional documentary evidence for the appeal hearing manager’s consideration. The employee concerned will have the right to be represented by a trade union representative or a work colleague throughout the appeal process.
- 8.6 The appeal hearing manager will decide whether the decision to dismiss is upheld, or not. The decision will normally be communicated to the individual concerned within 10 working days of the appeal hearing. Should there be any delay in reaching and communicating a decision within that timeframe, the employee will be notified of the reasons for the delay and advised of an anticipated revised timeframe in which an outcome will be confirmed.
- 8.7 The decision of the appeal hearing manager is final and there is no further right of appeal.

9 Support for employees

- 9.1 Companions at meetings – Employees are entitled to be accompanied at any consultation meetings by a trade union representative or a work colleague. Companions may assist staff in stating their case

but may not answer on behalf of the employee. The right to a companion does not extend to any job interviews held as part of the redundancy/redeployment process.

9.2 Time off - As stated in paragraph 4.2 above, employees formally notified that they are at risk or subsequently issued with notice of dismissal on the grounds of redundancy have the right to a reasonable amount of time off to seek other work, attend interviews or undertake training.

9.3 Employee Assistance Programme - Confidential counselling is available to all employees through the University's Employee Assistance Programme (EAP) helpline, provided by PAM Assist. PAM Assist provide a 24-hours a day, 365 days a year confidential counselling telephone helpline (0800 884 4102), which is free and staffed by trained counsellors. Details of any conversations are not disclosed to anyone at the University. Alternatively, employees can also access other helpful resources on www.pamassist.co.uk or via the PAM Assist app. Further details of the service are available on the HR website: <https://www2.worc.ac.uk/personnel/658.htm>.

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