

Organisational Change Policy: Redeployment and Redundancy

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[www.port.ac.uk/accesstoinformation/policies/humanresources/
filetodownload,13137,en.pdf](http://www.port.ac.uk/accesstoinformation/policies/humanresources/filetodownload,13137,en.pdf)

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Organisational Change Policy: Redeployment and Redundancy

Summary

What is this Policy about?

This Policy document sets out the University's approach to dealing with organisational change that may lead to a reduction in employee numbers, however, the approach is applicable to any form of organisational change, in particular, the sections on consultation and communication and the business case approval process.

Who is this Policy for?

This Policy applies to all University employees except holders of senior posts as prescribed in the Articles of Government.

How does the University check this Policy is followed?

Human Resources maintain an overview of the redeployment and redundancy processes and their implementation.

Who can you contact if you have any queries about this Policy?

All enquirers may contact the Director of Human Resources, Peter Brook, via heather.moreton@port.ac.uk.

1. Introduction

There are many factors that lead to organisational change. These may include changes in government funding; challenges of economic downturns; changes in strategic direction; technological changes; new Government initiatives. Inevitably, such changes may affect day-to-day operations which could result in changes in the pattern of activities, the organisation of work and the ability to fund work, all of which could change the requirement for staff. It is important that the way such change impacts on our employees is carefully considered.

This Policy deals with organisational change that may lead to a reduction in employee numbers, however, the approach is applicable to any form of organisational change, in particular, the sections on consultation and communication and the business case approval process. The Policy applies to all University employees except holders of senior posts as prescribed in the Articles of Government which can be found at www.port.ac.uk/accesstoinformation/policies/universitycirculars/filetodownload,77031,en.pdf.

It is the University's intention to provide a stable work environment and sustain security of employment for its employees. However, the University must retain sufficient flexibility to ensure its economic viability and efficiency in a competitive environment.

2. Policy statement

The University of Portsmouth strives to be a good employer, and seeks to attract and retain high quality employees. The University regards well-qualified, trained and highly motivated employees as essential for its success.

Although change is inevitable, the University's policy is to provide, as far as possible, security of employment through careful strategic planning of its future employee requirements, including any consequential employee development needs. Where possible, the University will anticipate changes in funding or activities so that employee redundancies are kept to a minimum. It is the aim of the University, agreed with its recognised trade unions, to seek to prevent situations arising which threaten job security. Redundancies will only be considered as a last resort.

Every reasonable effort will be made to avoid situations that necessitate employee reductions. In cases where such reductions cannot be avoided, University management will handle these fairly, consistently and sympathetically, and seek to minimise the impact on the employees concerned. Authorisation from the University Executive Board, or the Governors in line with the University's governance, will be required prior to the implementation of employee reductions, and advice must be sought from Human Resources (HR) before proceeding. The University, as an employer, has a duty to ensure that any redundancies are fair. Human Resources have a role to provide advice, and to facilitate procedures including the management of redeployment.

The University will seek to avoid redundancies by considering steps such as:

- the use of reorganisation
- natural wastage
- redeployment
- voluntary redundancies
- seeking alternative funding
- reviewing the use of external contractors
- temporary and agency staff
- change in working hours/patterns (e.g. full to part-time on an agreed basis)
- phased, flexible or early retirement

However, in order to sustain the overall health, viability and success of the institution the University may from time to time find itself in financial or other circumstances requiring changes in the number of employees.

Throughout any proceedings under this Policy, all parties will seek to ensure that confidentiality of individuals is maintained. This will not, however, preclude the University from disclosing information necessary for the discharge of duties or as required by law, nor, where appropriate, from disclosing information about any outcome under this Policy.

3. Equality analysis

Those undertaking organisational changes or planning redeployment or redundancy will be required, before decisions are made, to undertake equality analysis of any proposals. This will ensure that the University is able to demonstrate due regard in relation to protected characteristics in the decision making process, ensuring that any disproportional disadvantage or impact, be it negative or positive, is highlighted, the reasons identified and actions taken if the impact cannot be justified. Please refer to the equality analysis process at www.port.ac.uk/departments/services/equalityanddiversity/equalityanalysis/.

4. Managing change

It is recognised that from time to time it may become necessary to bring about changes to the structure of the organisation, services and/or posts which may lead to a reduction in employee numbers. The needs of the University, together with the requirement to manage employees fairly and equitably, are critical components of the process.

In planning for change, a draft business case, together with a communications and consultation plan, prepared by the Dean, with input from the Head of School or Department as appropriate, or Head of Professional Service, must be submitted to the University Executive Board (UEB) following discussion with Human Resources and Finance. A template for a business case is at Appendix A and the communication and consultation plan is at Appendix B.

Following approval of the draft business case by the University Executive Board, consultations with the recognised trade unions and staff will commence to give them and the staff within the area affected the opportunity to consider the proposals and make comments for consideration. Management must give full consideration to the staff side's comments and, where appropriate, amend the business case.

If there are changes or issues arising during the consultation period the draft business case, together with all the staff side comments and reasons for accepting or rejecting them, may be resubmitted to UEB for further consideration. The staff side or the staff affected have the right to request referral of the draft business case back to UEB.

4.1 Measures to avoid redundancies

Every reasonable effort will be made to avoid redundancies and the following include, but are not limited to, the actions that could be taken.

- External Revenue Generation – this would require a fully costed business case with clear milestones and timescales for the income generation.
- Reviewing the use of external contractors.
- Recruitment – the University should suspend normal employee recruitment in areas that could provide redeployment opportunities as soon as it becomes clear that an employee reduction may be necessary. Where vacancies cannot be filled by a process of redeployment, normal recruitment procedures will be operated.
- Redeployment – the University will seek opportunities for redeployment of employees from areas faced with the need for a reduction in employees. See section 9.

- Natural wastage – the University will make every effort to utilise natural wastage to reduce the need for any other reduction (e.g. resignations, retirements, end of fixed term contracts).
- Change in working hours/patterns e.g. full to part-time on an agreed basis, if appropriate and where there is a fully costed business case.
- Phased/Flexible/Early retirement – where there is a fully costed business case.

5. Consultation and communication

At the earliest opportunity, and no later than when the draft business case has been approved, in principle, by the University Executive Board, the University must consult with the recognised trade unions in any situation where organisational change is being considered. Consultation must be meaningful, timely and appropriate and include an exchange of views about the draft business case where staff and/or their representatives have the opportunity to influence the final outcome.

It is essential that individual employees are also consulted in a timely and appropriate manner, including those who may be away from the University for a range of reasons including, but not limited to, maternity leave, sabbaticals, secondments and long-term sickness absence.

Good communication is fundamental to effective consultation and, hence, the effective management of change. It enables both staff and management to have informed discussions as staff will understand the business reasons behind any proposals and be better able to make constructive suggestions. It also ensures that staff are engaged with by giving them a voice that will be listened to. Also it will help the University to move forwards after the change has been implemented as well as supporting staff throughout the process.

A record of all discussions and meetings, both formal and informal, must be made at every stage of the process, including actions and outcomes, and kept securely in line with the Records Management Policy which can be found at www.port.ac.uk/departments/services/universitysecretary/recordsmanagement/. Please refer to Appendix B for the communication and consultation plan template.

6. Job matching/limited competition

Restructures and reorganisations will often result in new positions being created, although the overall numbers of positions or costs have been reduced, as a consequence of rearranging roles and duties.

An individual may be appointed to a new position if the new role comprises broadly similar duties and responsibilities and terms and conditions of employment as his/her previous role and there is no one else who could be considered in the same way. If there are others in the same position and there are fewer vacancies than applicants, a process of 'limited competition interviews' will be carried out and applicants will be limited to those employees in the affected area. Those who are unsuccessful will continue to be at risk of redundancy.

It may be possible to redeploy employees 'at risk'¹ to other positions in the University. Such employees will be 'ring-fenced' giving them the opportunity to apply and be considered for vacancies before they are advertised more widely. See section 9 for more information on the process.

7. Pensions

In cases of redundancy, detailed, personalised information on pension benefits will be available to each eligible individual based on the pension regulations in force at that time. Employees will be advised to consider any impact redundancy may have on their pension.

8. Redundancy

8.1 Introduction

We live in a constantly changing environment and it is inevitable that some changes will have a significant impact on the University which, in some cases, may result in the necessity to consider redundancy.

If redundancies are being proposed there are specific requirements in law that must be followed to ensure that any redundancies are conducted fairly. The business case prepared in accordance with this Policy must include all the information listed in section 8.2 below.

¹ Employees who are in a position that is 'at risk' of redundancy.

In accordance with the Employment Rights Act 1996 an employee shall be deemed to be dismissed by reason of redundancy if the dismissal is wholly or mainly attributable to:

- 8.1.1 the fact that the University has ceased or intends to cease to carry on the business for the purposes of which the employee was employed by the University; or
- 8.1.2 the University has ceased or intends to cease, to carry on the business in a place where the employee was so employed; or
- 8.1.3 the requirements of the University for employees to carry out work of a particular kind has ceased or diminished or are expected to cease or diminish; or
- 8.1.4 the requirements of the University for the employees to carry out work of a particular kind, in the place where they were so employed, has ceased or diminished or are expected to cease or diminish.

8.2 Consultation with trade unions

Before the consultation period can commence a draft business case must be prepared and agreed, in principle, by the University Executive Board (see Appendix A). The manager leading the change management process, together with a HR representative, will meet with the trade union representatives to discuss the proposed organisational change and provide them with a copy of the draft business case for the commencement of consultations (see the Communication and consultation plan Appendix B).

The University is committed to undertaking early and effective consultation with those employee groups likely to be affected by redundancy and with the recognised trade unions.

The legislation requires minimum periods for consultation² but consultation must start early enough to be meaningful. The 30 calendar days period of consultation will commence from the first meeting between the trade unions and staff, although this may be extended by mutual agreement to allow sufficient time for the trade unions to consider the proposals, consult their members and respond to management with any comments and/or alternative proposals.

The formal consultation period required under the legislation cannot commence until the trade unions have received, in writing, the information below. This will normally be included in the draft business case:

- 8.2.1 the reasons for the proposed redundancies;
- 8.2.2 the numbers and descriptions of employees it is proposed to dismiss as redundant;
- 8.2.3 the total number of employees of any such description employed in the area/establishment in question;
- 8.2.4 the way in which the employees will be selected for redundancy (to include details of proposed selection criteria);
- 8.2.5 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;
- 8.2.6 the method of calculating the amount of redundancy payments to be made to employees who may be dismissed;
- 8.2.7 agency workers: the number of agency workers, where they are working and the type of work they are doing, where applicable;
- 8.2.8 other relevant information, such as proposals for avoiding or reducing the numbers involved.

[Reference: ACAS Advisory Booklet Redundancy Handling April 2009 and How to Manage Collective Redundancies 2013]

The University will initiate redundancy procedures only after full consultation has taken place. The University Negotiating and Consulting Committee (UNCC) will be notified of any organisational changes but is not part of the formal consultation process. Issues arising from the implementation of this Policy which have wider University implications will be referred to the UNCC.

Redundancies will only be considered as a last resort.

The proposed redundancy or redundancies will be notified in writing to the employees at risk of dismissal, and they will be given the opportunity within an identified period of time to make written representations as advised individually or collectively. Such representations may include suggestions as to how the proposed redundancies could be avoided or their numbers reduced.

All employees are entitled to notice of the termination of their employment as provided for by their contract of employment. The University will regard the contractual position as the minimum period of notice. The University will provide to any employee whose position it is proposed to make redundant, and to their trade union, a statement of the reason for that redundancy.

2 At least 45 days written notification must be given to the Department for Business, Innovation and Skills (BIS) if 100 or more employees are to be made redundant, and at least 30 days for 20 to 99 employees. For less than 20 employees, no notification to BIS is required. Consultation must begin at least 30 days before the first dismissal takes effect if 20 to 99 employees are to be made redundant, and at least 45 days before the first dismissal takes effect if 100 or more employees are to be made redundant over a period of 45 days or less. If an employee is on a fixed term contract which is coming to the end of its agreed duration, the employee is not included in the calculation of the total number of employees to be made redundant.

8.3 Managing redundancy for women who are pregnant or on maternity leave

The beginning of pregnancy to the end of maternity leave is a 'protected period' during which a woman is entitled to special consideration if this is necessary to make good any disadvantage she may otherwise experience. The law makes clear that:

- selecting a woman for redundancy because of her pregnancy, maternity leave or a related reason is automatically unfair dismissal as well as being unlawful discrimination;
- failure to consult a woman on maternity leave about possible redundancy is likely to be unlawful discrimination;
- a woman made redundant while on maternity leave must be offered any suitable alternative vacancy if one is available anywhere in the University before any other employee. She does not need to apply for it.

HR must be consulted before any organisational change is considered which may affect a woman who is pregnant or on maternity leave.

8.4 Preparing redundancy selection criteria

Preparing criteria for selecting individuals for redundancy is central to the redundancy process. Normally, therefore, the appropriate Manager(s) (Dean/Head of Professional Service/Head of Department) with the support of Human Resources will establish the criteria by which they will select individuals for redundancy. The Manager(s) must be able to demonstrate that the criteria are fair, that they have been fairly and objectively applied, and that unfair emphasis has not been given to particular criteria over others.

Human Resources must always be involved in the preparation of criteria for selection for redundancy. Trade unions must also be consulted in respect of both the criteria for selection and their relative importance. See Appendix C for more information on selection criteria.

8.5 Consultation with employees

At any meeting with affected employees within the redundancy process, the employee has the right to be represented or accompanied by a work colleague (University of Portsmouth employee) or trade union representative. If the employee's companion cannot attend on a proposed date, the employee can suggest an alternative time and date provided it is reasonable and it is not more than five working days after the original date.

The affected employees shall each be notified in writing by the Director of HR or designated representative:

- 8.5.1 of the number of proposed redundancies;
- 8.5.2 of the Department, Faculty or other area and/or (as appropriate) the categories or descriptions of employees affected;
- 8.5.3 that he or she is employed in a Department, Faculty or other area, and/or (as appropriate) falls within a category or description of employees affected;
- 8.5.4 that accordingly he or she is potentially at risk of dismissal by reason of redundancy;
- 8.5.5 that he or she will be consulted individually before any decision to dismiss him or her by reason of redundancy is taken and that he or she has the right to appeal such decision;
- 8.5.6 that he or she has the right to be represented or accompanied by a work colleague or trade union representative.

8.6 Selection for redundancy

The selection criteria at Appendix C (also see section 8.4) are intended to be used as a guide to help in clarifying thoughts in respect of individuals so that selection is a carefully thought out and objective process. Detailed notes must be made of how criteria were chosen, how they were applied to individuals and the justification for decisions made.

8.6.1 Selection process

A 'provisional' selection for redundancy will be made by the appropriate Manager(s) (e.g. Dean/Head of Professional Service/Head of Department) with the support of Human Resources.

Once a provisional selection has been made based on appropriate evidence, all 'at risk' employees must be informed that it is proposed to make redundancies and told of the provisional selection and criteria used.

The selection is provisional only and may be subject to change through consultation. The Dean/Head of Professional Service/Head of Department will then enter into immediate consultation on an individual basis with those 'at risk' employees provisionally selected for redundancy. In the course of consultation, 'at risk' employees will be informed of and be provided with a copy of the basis of their (provisional) selection and invited to make representations on their potential dismissal. With this additional information the Manager(s) must reconsider the provisional selection and subsequently confirm those who are to be given notice of termination.

Where a selection pool of employees in posts at risk of redundancy has been identified (i.e. there are several staff performing the same or similar tasks who could be 'at risk'), consideration should be given to whether it would be appropriate to invite applications for voluntary redundancy from within the pool, thus avoiding or reducing the need to make compulsory redundancies.

During the course of individual consultation an employee provisionally selected for redundancy may express a wish to leave the University and it may be appropriate to agree to allow the individual to leave on the basis of voluntary redundancy. It should be noted, however, that where the number of volunteers exceeds requirements and/or there are concerns about the imbalance in the remaining skills and experience which may be created and/or where voluntary redundancy has not produced suitable volunteers, the University is not obliged to accept every or any volunteer for redundancy if it does not consider it appropriate to do so. If voluntary redundancy is agreed this will be on the basis that the individual no longer wishes to remain employed with the University and redeployment would therefore no longer be sought from the point at which this is agreed.

Selection criteria are not required where a redundancy or redundancies are proposed in relation to: a unique post; all posts within a particular entity or group; all posts of a particular description or category. Such meeting(s) may, if appropriate, include a discussion of the alternatives to dismissal on grounds of redundancy including opportunities for redeployment.

At any meeting with affected employees within the redundancy process, the employee has the right to be represented or accompanied by a work colleague (University of Portsmouth employee) or trade union representative.

8.7 Confirmation of decision

Where the outcome is that selection for redundancy of the employee is confirmed, the manager must inform the employee in person with support from their HR Business Partner/HR Adviser.

Human Resources will issue those selected with a notice of termination and with a statement of their redundancy terms, pay, provisions and date of dismissal. The employee will be informed of his or her right to appeal that dismissal under section 10, and of any applicable time limits for the making of such an appeal.

The outline process is at Appendix D.

8.8 Redundancy pay

In cases where it has not been possible to find suitable alternative employment within the University, individuals will be entitled to a minimum redundancy payment based on their actual week's pay as follows: for each complete year of service under age 22, half a week's pay; from age 22 up to but under age 41, one week's pay; 1.5 weeks for each year age 41 and over up to a maximum of 20 years' service.

Employees, who are under notice of redundancy and have been continuously employed for at least two years, qualify for the statutory entitlement to a reasonable amount of time off to look for another job or for retraining. The time off must be agreed with the manager in advance and must be allowed before the expiry of the period of notice.

9. Redeployment

9.1 Introduction

Where an individual has been selected for redundancy or is 'at risk', there is an obligation on the University to consider if that individual could be redeployed within the University. This process is often referred to as 'ring-fencing'.

9.2 Individual skills audit

In order to be considered for redeployment employees are required to complete a skills audit form. An assessment will be made by Human Resources in conjunction with the employee as to the best way to help the employee and to highlight areas of available employment, training or secondments. Human Resources will keep records of the redeployment opportunities made available for each employee, including any vacancies identified, the outcome of any applications made, the assistance offered, and the individual's reasons for any decisions not to apply for or accept apparently suitable jobs. The following information will also be recorded:

- details of skills, knowledge and experience;
- specific areas of interest and other job responsibilities;
- any geographic limitations on redeployment;
- physical limitations/disabilities and possibilities of using aids and adaptations;
- personal circumstances which the employee would like to be considered;
- possibility of retraining.

9.3 Arrangements for redeployment

The Faculty/Professional Service with Human Resources must make arrangements to ensure that the University's obligation to consider redeployment is discharged.

There may be suitable posts available within the Faculty/Professional Service or it may be necessary to seek suitable alternative posts in the wider University to accommodate the employees involved. The redeployment process will start once the employees have been identified as being at risk of redundancy and will continue to the end of the employee's notice period.

The process will include the following steps, which may run in parallel:

- HR will bring all vacancies to the attention of 'ring-fenced' employees who will be given the opportunity to apply and be considered for vacancies before they are advertised more widely.
- Where 'at risk' employees wish to be considered for a vacancy and they meet the essential criteria of the person specification, they will be interviewed.
- In the event of an appointment being made the employee has the right to a four week trial period. This trial will be in accordance with guidance in the ACAS Code of Practice. In the event of an appointment not being made, the Chair of the interview panel will be required to record detailed reasons for not accepting the 'at risk' employee(s).

9.4 Offers of suitable alternative employment

Offers of suitable alternative employment, together with all the appropriate entitlements upon transfer or redeployment must be made in writing. Employees 'at risk' must reply in writing normally within five working days to accept or reject the offer. Employees 'at risk' who reject offers of suitable alternative employment without good cause may forfeit the opportunity of redeployment and lose their entitlement to redundancy payments, should their employment be terminated. An employee's failure to respond to the offer within the agreed timescale will be regarded as a refusal to accept suitable alternative employment. The employee's existing contract will therefore come to an end on the completion of the notice period and there will be no entitlement to a redundancy payment. The employee will be considered to have terminated their employment.

The University will seek to redeploy employees at risk of redundancy due to the restructuring of a Faculty, Department or Professional Service to a post which carries a similar level of responsibility and remuneration. Where this is not possible and a person is redeployed to a post at a lower grade (which will normally be no more than one grade lower than their substantive grade) they will have their base salary maintained for a period of up to two years. During this time the employee will benefit from cost of living increases but will not benefit from incremental progression. After being in post for two years, salary protection will cease and the salary will be reduced to the top of the standard scale for the post.

Where an employee considers that a particular post is not a 'suitable alternative', a review will be undertaken, taking into consideration any inputs from the individual and their trade union representative if appropriate.

When redundant employees take up alternative employment they are entitled to a statutory four week trial period in the new job. Should either employer or employee terminate employment during the trial period, the employee will still be treated as redundant and the right to redundancy pay will be preserved, unless the employee is judged to have terminated employment in the alternative job unreasonably, taking into consideration any inputs from the individual and their trade union representative if appropriate.

9.5 Transfer of Undertakings (Protection of Employment) Regulations (TUPE)

The Transfer of Undertakings (Protection of Employment) Regulations (TUPE) 2006 protect employees' terms and conditions of employment when a defined business area is transferred from one owner to another. TUPE is a complex area of employment legislation and advice must be sought in advance from your HR Business Partner/HR Adviser (see Appendix E for contact details).

10. Appeal against redundancy

10.1 Making an appeal

An employee may appeal in writing and this would normally be on the following grounds:

- against initial selection;
- against the application of the process for redundancy;
- against the termination of employment on the grounds of redundancy.

An employee who wishes to appeal should do so in writing to the Clerk to the Board of Governors (and copied to the Director of Human Resources) within ten working days of the date of written notification of the decision to terminate employment on the grounds of redundancy. The employee should set out in full the grounds of his or her appeal, and if they are proposing to rely on new evidence, he or she should provide details and a copy of any relevant documentation. An Appeal Hearing will not normally review the University decision that redundancy procedures should be instigated.

Within ten working days of the receipt of the appeal the employee shall be notified by the Clerk of the Board of Governors of:

- the date, time and place of the Appeal Hearing;
- the right to be represented or accompanied at the Appeal Hearing by a work colleague (University of Portsmouth employee) or a recognised trade union representative of their choice;³
- the names of the persons to be present at the Hearing including the members of the Appeal Panel (see section 10.2);
- the name of any person(s) attending to present the reason for the decision to dismiss on behalf of the University.

At least six working days before the Appeal Hearing the name and the address of the employee's representative must be notified in writing to the Clerk to the Board of Governors.

The employee and their representative are expected to attend the Appeal Hearing. The Appeal Panel shall be entitled to proceed in the employee's absence where the employee:

- indicates to the Appeal Panel that he or she does not wish to exercise his or her right to be heard;
- fails to attend or leaves the Appeal Hearing;
- requests postponement or adjournment of the Appeal Hearing without good cause.

Notwithstanding the absence of the employee, at the employee's request, a representative i.e. a work colleague (University of Portsmouth employee) or recognised trade union representative may be present to address the Appeal Panel, including putting the employee's case, summing up and responding on the employee's behalf to any view expressed at the Hearing.

10.2 Appeal Hearing

Appeal Panels will comprise at least three external governors normally drawn from the membership of the Human Resources Committee (HRC) and will be chaired by a senior post holder of the University. The following steps will be followed:

- At least five working days prior to the Appeal Hearing the Committee members and the parties will receive the documents to be relied upon by the appellants and their representatives and the respondent University management representatives during the consideration of the appeal.
- The hearing of the appeal will follow the predefined HRC appeals process.
- The employee will be notified in writing of the outcome of the Appeal Hearing normally within ten working days of the Appeal Hearing.

The decision of the Appeal Panel shall be final.

³ This is subject to the representative being available within a reasonable timeframe and without causing unnecessary delays to the procedure.

Appendix A

Format for business case

The following provides the minimum information to be included in the draft business case. It is the contents of the business case which will be shared with the trade unions for consultation purposes. Depending on the circumstances leading to the proposals, it may be possible to share the full business case as approved by University Executive Board (UEB), provided it contains all the information below, otherwise this information should be provided in a separate document. Every draft business case must be submitted to UEB with a front sheet giving an overview of the proposal, see Appendix F.

Until the consultation process has been completed and the trade unions and staff affected have had the opportunity to comment on the proposals and management have considered them and responded, the business case remains a draft business case. See Appendix G for an overview of the management process.

1. Department Overview

- a) Reason, rationale and timescales for change.
- b) What would be the impact if no change is made?
- c) Proposed new organisation design and structure, including revised roles and responsibilities (provide existing and proposed organisation charts and job descriptions).
- d) Business impact and mitigation plans for impact of changes e.g. increase or reduction in employees, change in type of positions, budget, funding. Details of data used to inform the decision, including non-financial data such as student numbers, and the source of the data should be included in the business case. They must be reviewed and updated in preparing the business case and during the consultation period to monitor any changes which may have a significant impact on the final decision to reduce employee numbers. The draft business case, together with all the staff side comments and reasons for accepting or rejecting them, may be resubmitted to the UEB for further consideration.
- e) Explain where the proposed redundant post(s) fits into the existing department structure. (For instance, it would be helpful to insert or attach an organisational structure chart and identify where the post fits into the structure and/or provide contextual information as appropriate).
- f) Give total numbers of employees in the department by grade and job title.
- g) Give details of any further anticipated organisational change over next 12 months if relevant to the business case.
- h) Provide an assessment of any equality impact of this proposal.
- i) Provide an overview of the context and background e.g. financial reasons.
- j) Any other relevant information.

2. Case for employee reduction

- a) The numbers and descriptions of the employees it is proposed to dismiss as redundant.
- b) Outline the key tasks and responsibilities of the post(s) proposed for reduction/redundancy.
- c) The total number of employees of any such description employed at the University.
- d) Give details of the activities that are to reduce or cease and the reasons for this cessation/reduction.
- e) If the reasons for the proposed reduction are financial, please give the financial background of the activity/project. (Please ensure it is clear how this relates to the Department's financial situation.)
- f) Alternatives to reductions – give details of all alternatives considered and steps taken to avoid the need for reductions. See section 4.1 of the Policy.
- g) What are the costs of employee reductions and the financial implications (e.g. costs/savings analysis, and where appropriate timescale for recovering costs)?
- h) Provide an analysis of any potential impact elsewhere in the University as a result of these reductions.

3. Determining the affected group of employees (pool)

- a) Are there people within the Department who do the same or similar roles?
- b) Whether you have answered 'yes' or 'no', please fully explain your answer with reference to any other potentially similar roles in the Department. (Please refer to the structure chart/contextual information provided in question 1 a) as appropriate.)
- c) If yes, have all of those people been included in the pool for provisional selection for redundancy?
- d) If other people in same or similar roles have not been included in the pool, please give full details of the reasons for this.
- e) Give names and job titles of individual(s) proposed for inclusion in the pool.
- f) Outline the proposed selection criteria – see section 8.4 and Appendix C.

4. Supporting evidence

- a) Can the redundancies be avoided by taking action at a wider organisational level? Give details of what options have been considered and why they have been rejected.
- b) Confirm why the identified pool is appropriate.
- c) Where there are more people within the pool than the required number of reductions, confirm why the proposed selection criteria are appropriate.
- d) The number of agency workers, where they are working and the type of work they are doing, where applicable.
- e) Describe the impact the reductions may have elsewhere in the University.
- f) Analysis of potential financial implications e.g. redundancy payments, staff costs of old and new structures etc.

5. Timescale for implementing organisational change

Provide a detailed timescale for implementing the organisational change with specific dates and details of steps followed including initial draft submission to UEB, consultation meetings with trade union representatives and affected staff. Include information and dates pertaining to possible redeployment stages (e.g. limited competition interviews, ring-fence process, job matching, notice periods, effective dates of redundancy, Appeal Hearings etc). Please refer to Appendix B for an example of a communication and consultation plan.

The business case must be discussed with HR Business Partners and central Finance before submission to University Executive Board for final approval.

Appendix B

Communication and consultation plan

In drawing up communication and consultation plans it is often helpful to start with the proposed effective date of the change and work backwards. The following is an outline of the activities to be included and timescales. These should be regarded as minimums but will need to be amended to suit the particular circumstances and may take longer from the commencement of consultations to implementation.

Key dates	Activity	Who
	Draw up the draft business case – see Appendix A. (Time needs to be allowed for writing any new job descriptions and having them scored where appropriate.)	
	Receive approval, in principle, of the draft business case from UEB.	
Week 1–6	Provide trade union representatives with the draft business case. See section 8.2. Meet with all staff and their union representatives to explain the changes, their implications, timescales for consultation and implementation. The period of consultation will be 30 calendar days from the first meeting between the trade unions and staff although this may be extended by mutual agreement to allow sufficient time for the trade unions to consider the proposals, consult their members and respond to management with any comments and/or alternative proposals.	
	Meetings with trade union representatives and staff to discuss their comments/alternative proposals.	
	Feedback, in writing, to the unions on their proposals and reissue any amendments to the draft business case. If there are changes or issues arising during the consultation period, the draft business case may have to go back to UEB for further consideration and time will need to be allowed for this.	
	Commence individual consultations with those employees affected. See section 8.5.	
Week*	In consultation with HR, facilitate alternatives to redundancy for ‘at risk’ staff including suitable alternative employment and the ring-fence process, applications for job matching/limited competition interviews. If unsuccessful in seeking alternative employment, confirm redundancies and/or other contractual changes and arrange with HR to issue letters. See section 8.7.	
Week*	Appeal Hearings to be arranged as appropriate.	
Week*	Redundancy dismissals take effect in accordance with notice periods depending on grade and length of service (statutory maximum of 12 weeks’ notice).	
Week*	Implementation of organisational change.	

*To be completed depending upon organisation change process being undertaken.

Appendix C

Selection criteria

Each employee in a pool of employees at risk of redundancy in respect of whom selection criteria are to be applied shall be notified in writing of:

- the relevant pool of affected employees;
- the total number of employees in the pool of affected employees;
- the total number of employees it is proposed to make redundant from that pool;
- the selection criteria to be used to determine which employees within the pool are to be dismissed by reason of redundancy;
- who will carry out the assessment of affected employees against the selection criteria;
- when the assessment of affected employees against those criteria will take place;
- the proposed arrangements for consulting individual employees within the affected pool in respect of the application of the selection criteria to them.

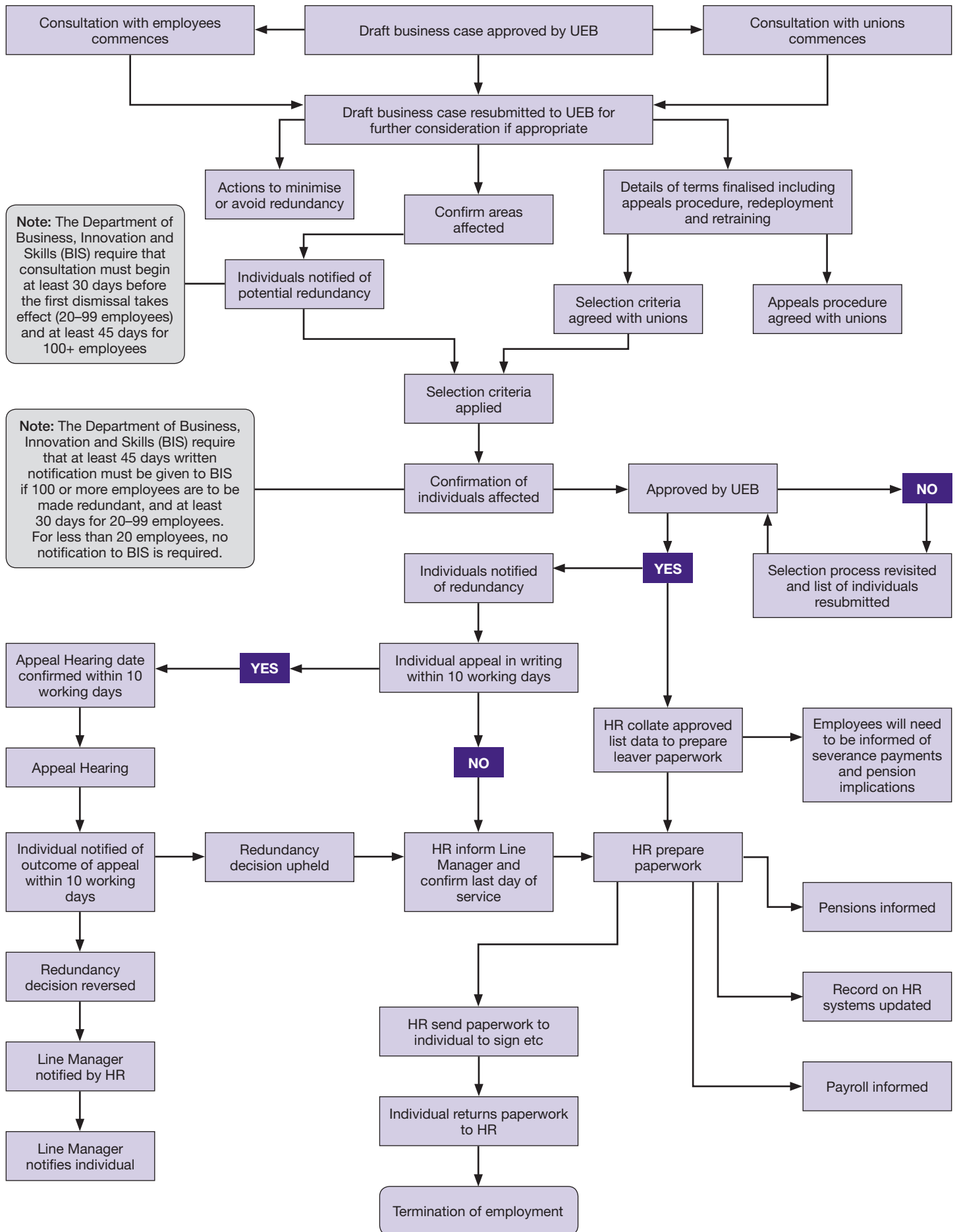
Selection criteria may include but are not limited to:

- skills
- work experience
- job knowledge
- qualifications
- training
- standard of work
- attendance record
- disciplinary record

It is important that each member of the pool of employees is assessed against the same criteria and that it is evidence-based analysis. The University will not discriminate on the grounds of gender, sexual orientation, religious belief, marital or family status, pregnancy, race/ethnic origin, disability, age, trade union membership or type of contract.

Appendix D

Redundancy management process



Appendix E

Other sources of information and support

HR Business Partner/HR Adviser/HR Pensions Adviser

www.port.ac.uk/departments/services/humanresources/contactus/stafflist/

HR website

www.port.ac.uk/departments/services/humanresources/

Policy and procedures

www.port.ac.uk/accesstoinformation/policies/

Occupational Health Service – 023 9284 3187

www.port.ac.uk/occupationalhealthservice/

Employee counselling

<http://wellness.rightmanagement.co.uk/login>

University of Portsmouth's unique username **UPuser** case sensitive)

Trade unions – UCU and Unison

<http://ucu.port.ac.uk/> or www.ucu.org.uk/

www.port.ac.uk/unison/ or www.unison.org.uk/

ACAS

www.acas.co.uk

Pensions

- Teachers Pension Scheme: www.teacherspensions.co.uk/
- Local Government Pension Scheme: www3.hants.gov.uk/finance/pensions
- NHS Pension Scheme: www.nhsbsa.nhs.uk/pensions
- HR Pensions pages: www.port.ac.uk/intranet/humanresources/payandrewardincludingpensions/pensions/

Department for Business, Innovation and Skills (BIS)

www.bis.gov.uk/

Appendix F

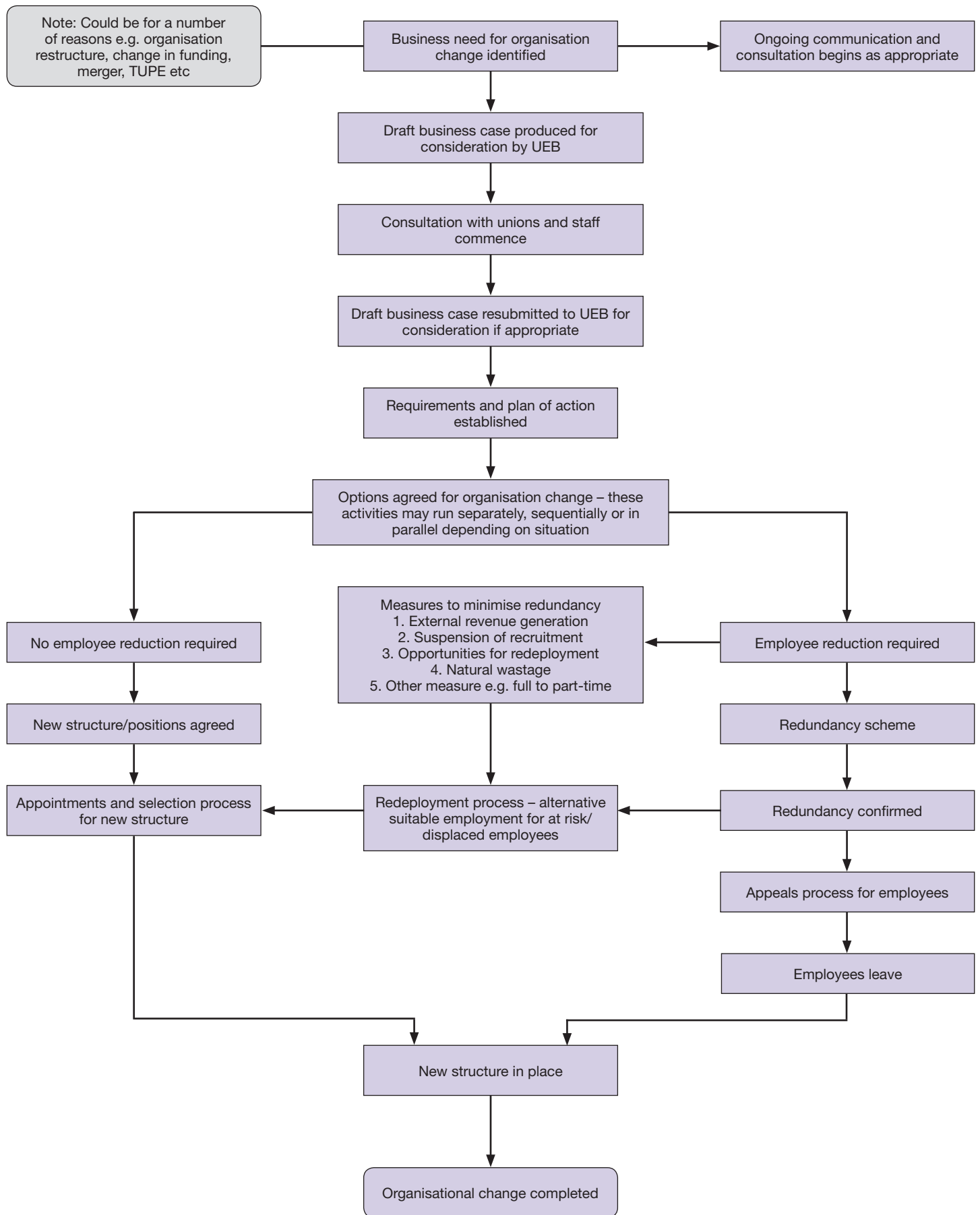
Report for University Executive Board

To be completed for every business case proposal.

Subject:
Author:
Background: <i>(brief background to why this change is being made and whether this paper is the result of an earlier decision by the University Executive Board (UEB))</i>
Date and decision from earlier University Executive Board meetings: <i>(the date it was considered at the UEB must be provided so that earlier notes can be located, if applicable)</i>
Proposal: <i>(or changes to original proposal if a follow-up paper to an earlier UEB item – a brief statement of what is being asked for and why and reference to the supporting paperwork for timescales etc)</i>
Equality Analysis: <i>(if disproportional disadvantage or impact, be it negative or positive, has been highlighted and what appropriate actions have been considered/taken to reduce or eliminate them?)</i>
Request for approval: <i>(confirmation of what approval you are asking for e.g. 'The UEB is asked to approve this request to take forward the restructure detailed in the attached')</i>
Date completed:

Appendix G

Overview of management process



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