

University of London
Institutes and Central Activities

REDUNDANCY POLICY AND PROCEDURAL FRAMEWORK¹

Introduction

1. The University is committed to promoting continuity and security of employment for its employees, by forward planning its activities and requirements. However, the University recognises that changes to (amongst other things) the general level of its academic and administrative activities, the application of technology or organisational structures and the needs of its academic partners and stakeholders may give rise to circumstances where there is an immediate or progressive reduction or cessation in the need for employees to carry out work of a particular kind and / or in a particular place. Through forward planning and good management practices, the University will normally expect to be able to anticipate changing needs and be able to respond flexibly to changed demand across the organisation. However in exceptional cases the University may develop a proposal to make redundancies. The University will deal with such matters in as objective and sympathetic a manner as possible, with the aim of avoiding compulsory redundancies.

Consideration of ways to avoid or minimise redundancies

2. In consultation with the appropriate trade unions, the University will develop a plan to avoid or reduce the number of proposed redundancies. Such a plan may include:
 - reduction in the use of temporary agency and temporary directly employed staff;
 - non-replacement of staff who leave through natural wastage;
 - restrictions on external recruitment;
 - reduction or elimination of paid overtime;

¹ This Policy and Procedural Framework ("**Policy**") does not form part of the contract of employment of any of the employees of the University of London (the "**University**"). Accordingly, the University reserves the right to review and amend any of the details within this Policy. If the contents of this Policy are in any way inconsistent with an employee's Statement of Employment Particulars, the employee's Statement of Employment Particulars will prevail. This Policy does not apply to Academic staff whose redundancy arrangements are governed by Statute; and does not apply to the staff of the University of London Institute in Paris where separate arrangements apply.

- redeployment or retraining of staff within the University; and / or
- offering voluntary early retirement to staff within the affected areas (or elsewhere in the University);
- review of central University spending on non-staff headings;

This list is not exhaustive.

Definition of Redundancy

3. The University may propose that an employee, or group of employees, is at risk of redundancy in the following circumstances:
 - (a) the fact that the University has ceased or intends to cease –
 - (i) to carry on the business for the purposes of which the employee was employed by the University, or
 - (ii) to carry on that business in the place where the employee was so employed,

or
 - (b) the fact that the requirements of that business –
 - (i) for employees to carry out work of a particular kind, or
 - (ii) for employees to carry out work of a particular kind in the place where the employee was employed by the employer,

have ceased or diminished or are expected to cease or diminish.

or
 - (c) (in the case of collective redundancies) where a dismissal is proposed for a reason not related to the individual concerned or for a number of reasons which are not so related.
 - (d) Where a member of staff is coming to the end of a fixed term contract and one or more of points (a) to (c) above apply

Collective and Individual Redundancies

4. A collective redundancy situation arises where an employer proposes to dismiss as redundant twenty or more employees at one establishment within a ninety-day period. Individual redundancies involve any number of employees up to 19.

Consultation: Collective

5. If the University develops a proposal to reduce staffing levels through collective redundancies, the University will wherever practicable undertake early consultation with the employees who are likely to be directly affected; their local trade union representatives; or other representatives.
6. Formal consultation with the appropriate trade unions will begin as soon as is reasonably practical. The University will provide representatives in writing, before meeting with them, the information set out in Section 188 of the Trade Union and Labour Relations (Consolidation) Act 1992 . Wherever possible formal consultation will begin in advance of the statutory timetable which is:
 - at least 90 days before the first dismissal is due to take effect, where it is proposed to dismiss as redundant 100 or more staff at one establishment within a period of 90 days or less; or
 - at least 30 days before the first dismissal is due to take effect, where it is proposed to dismiss between 20 and 99 staff at one establishment within a period of 90 days or less.
7. The University will convene a meeting to inform and consult with all staff in the area affected by the proposal to make redundancies and will provide as full an explanation of the proposal as possible, together with the redundancy selection criteria which are proposed to be applied. The redundancy consultation / selection procedure will be explained and employees (and their representatives) will be free to raise queries at or following this meeting. The substance of the meeting will subsequently be set out in writing and circulated to employees and their representatives.
8. Collective consultation will include consultation as to ways of:
 - a. Avoiding the proposed dismissals;
 - b. Reducing the numbers of employees proposed to be dismissed; and
 - c. Mitigating the consequences of the proposed dismissals.

Consultation: Individual

9. Whether or not the University is following a collective consultation process, it will undertake individual consultation with affected employees.
10. The University will invite affected employees to attend individual meetings with affected employees. At these meetings, employees will have the right to be accompanied by a work colleague or recognised trade union representative. The University will normally arrange to take and publish minutes of any and all meetings. The employee and their representative will be provided with a copy of the University's conclusion as to their provisional selection (or otherwise) for redundancy, set against the redundancy selection

criteria in operation. Employees will be informed whether they remain at risk of redundancy and, if necessary, the process of consultation will continue and the parties will review the variety of options open to them (either at further meetings or in writing).

11. At all times, employees (and their representatives) will have the opportunity to make representations, request information and raise matters for clarification or investigation.
12. Employees at risk of redundancy will be informed of any applicable redundancy payment and will be provided with a breakdown as to how the payment has been calculated prior to the payment being made.
13. The University will investigate the possibility of redeployment into suitable alternative work and report back to the employee (at a meeting or in writing). Any reasonable proposals presented by the employee will be considered by the University. If no suitable alternative work is identified within a reasonable time frame (usually not longer than the employee's contractual notice period), the employee's proposed dismissal by reason of redundancy will be formally confirmed. The employee will be given the right to appeal against this decision.

Redundancy Pay

14. The University will seek where possible to enhance the basic statutory rate, subject to consultation with the Trade Unions.

Voluntary Redundancy

15. When a need for a reduction in employee numbers is proposed, the University will consider if there is scope to achieve that reduction through voluntary means. The establishment of a Voluntary Redundancy scheme is solely at the discretion of the University. The Director of Human Resources (or their nominee)² will publish and apply the selection criteria following consultation with the Trade Unions. The University may, at its sole discretion, offer enhancement to whatever statutory redundancy arrangements may be in place at the relevant time in the event that it chooses to accept an employee's offer to depart by way of VR.
16. Offers from employees to be considered for Voluntary Redundancy will be accepted solely at the discretion of the University.

² Head of HR in the Deanery for staff of the London Deanery or KSS Deanery

Voluntary Early Retirement

17. When a redundancy situation arises the University will consider applications for Voluntary Early Retirement from members of staff (in accordance with prevailing relevant statutory duties and recognised pension scheme regulations). The University may, at its sole discretion, offer to fund enhancement to accrued pension benefits. Offers from employees to be considered for Voluntary Early Retirement will be accepted solely at the discretion of the University.

Appeal

18. Any employee given notice of dismissal by reason of redundancy will be notified of the right of appeal against that decision. The appeal must be made in writing and addressed to the Director of Human Resources³ within ten (10) working days of the meeting at which the employee's proposed dismissal by reason of redundancy was confirmed. The employee should set out the basis of the appeal, which may be on procedural grounds, misapplication of the criteria, or on the basis that new and relevant information has become available since the decision was made. The employee will be invited to an Appeal Hearing which will be conducted by a manager who is at the same grade as the manager who made the original decision to dismiss; who is in an organisationally separate part of the central University⁴; and who has not previously been involved in the decision to select the employee for redundancy. The employee may be accompanied at the appeal hearing by a Trade Union representative or work colleague. The outcome of that Appeal Hearing will be sent to the employee by letter and will be final and binding on all parties.

19. The Appeal Hearing will be held before the effective date of the redundancy.

Compulsory Redundancy Selection Criteria

20. The University will apply a range of selection criteria which, in the particular circumstances before it, are non-discriminatory, relevant and proportionate, and applied consistently and fairly. Such criteria will be established in consultation with the relevant recognised trade union(s)

Redeployment

21. If an employee is given notice of dismissal by reason of redundancy (collective or individual), it may be that the University can make an offer of

³ Head of HR in the Deanery for staff of the London Deanery or KSS Deanery

⁴ Within the London Deanery and KSS Deanery managers may be selected from other Deanery departments

alternative employment to them before the termination of their employment to renew the contract or re-engage them on suitable alternative work. Where suitable alternative employment is offered and accepted by the employee, the employee will be given full details of the vacancy and given a trial period in the new job. The trial period will normally be four (4) calendar weeks (but may be varied by mutual agreement particularly if retraining is needed) and is intended to give the individual and the new line manager the opportunity to decide whether the redeployment is suitable. Wherever possible both the employee and line manager will be given training and support in performing and managing the new job.

22. An employee who unreasonably refuses an offer of suitable alternative employment will lose their entitlement to a redundancy payment.

Assistance with Identifying Suitable Alternative Work (inside or outside the University)

23. The University will allow the reasonable use of its facilities to assist those employees identified as being at risk of redundancy to identify and pursue suitable alternative work. Such arrangements will include allowing such employees reasonable time off with pay to organise and undertake appropriate training and to attend interviews. Such time off must be agreed in advance with the employee's Head of Division (or nominee). The University will wherever possible allow employees to attend suitable internal training courses and may consider providing financial support towards course fees for appropriate external training courses.

24. Employees may access further advice through the University's Employee Assistance Programme (EAP) or through their Trade Union representatives.