



## **Brasenose College Policy Redundancy Policy (Non Academic Employees)**

**Approved by Governing Body on 30 November 2011**

### **Introduction**

#### **Purpose and Scope**

This policy is applicable to all permanent employees that are not academic staff as defined by Statute XVI. To ensure fair and equitable practice in situations where it is necessary to discontinue jobs or where there may be a need to reduce staff levels in certain areas of the business through technological or organisational change, or through market or economic pressures.

#### **Policy Statement**

Brasenose College recognises that security of employment is a factor of major importance to employees and therefore every effort is made to avoid termination of employment due to redundancy and to provide continuity of employment. It is not possible however to give a guarantee of security of employment. Where it becomes necessary to reduce staff numbers, whether for economic or other reasons, it is the College's policy to try to minimise the effect on those concerned. Careful consideration is given to all alternative employment possibilities.

### **1. Consultation**

1.1 In a situation where a manager identifies a need to reduce staff levels and ultimately a potential redundancy he/she must discuss the circumstances with the Human Resources Manager.

1.2 A detailed communication will be prepared explaining:

- the reason for the requirement to reduce staff numbers;
- what impact this reduction will have on the working procedures of other employees and how the current work of the staff to be reduced will be covered;
- the number of employees of any such description employed at the location or within the management area concerned;
- the numbers and descriptions of employees whom it is proposed to reduce by;
- the proposed method of selecting employees who are to be reduced;
- the procedure that will be used and the time-scale over which the reduction in staff will take place;
- options and alternative employment opportunities available to avoid compulsory redundancies;
- the method of calculating the amount of redundancy payments to be made to those who are dismissed.

1.3 The Personnel committee, or in exceptional circumstances the Bursar, must approve the proposal for and communication about potential redundancies.

1.4 Where it is proposed that more than 20 employees are to be made redundant, the following collective consultative procedure will be followed. Where the employees concerned are not

represented by a recognised independent Trade Union, a body of employee representatives, covering all the categories of employees who are to be or might be made redundant, will be elected. The elected employee representatives will be presented with the communication plan as the start of the consultation process.

This elected body of employees may be formed in advance of any redundancy situations arising and may be consulted by the College on other general matters of interest to employees.

Collective consultation will begin:

- At least 30 days before the first dismissal takes effect if 20 – 99 employees are to be made redundant at one establishment within a 90 day period;
- At least 90 days before the first dismissal takes effect if 100 or more employees are to be made redundant at one establishment within a 90 day period.

Once meaningful collective consultation has concluded, individual consultation as detailed in clause 1.5 below, will normally take place.

If the College proposes to dismiss twenty or more employees as redundant at one establishment within a period of 90 days or less has a statutory duty to notify the relevant Secretary of State as required by law..

Notice of termination of employment will not be given until the statutory consultation period as detailed above has been completed.

In any event, the College will give as much warning as possible to employees of an impending redundancy situation.

- 1.5 Where 19 employees or fewer are likely to be made redundant individual consultation, as detailed below, will take place. This may follow a general announcement to affected groups of employees. In such cases the College will consult over a period of at least two weeks or longer, so that as long as the duration allows for the consultation to be meaningful.

Once meaningful collective consultation has concluded, individual consultation will then normally take place in accordance with the procedure detailed below.

All employees who are to be redundant will have a face to face individual meeting with the HR Manager, or an Officer of the College. The purpose of the meeting is to discuss the proposed redundancies and the reasons for them. The employee should have an opportunity to put forward any ideas or steps that he/she would like the College to consider which may have an impact on the proposal.

Following the meeting the College will write to the employee confirming the reason for the potential redundancy and the process that will be followed. The employee will be invited to attend a subsequent meeting(s), where he/she will have the right to be accompanied either by a work colleague or a trade union representative.

Where no alternative to redundancy can be found the employee will be informed at a subsequent meeting that his/her position will be made redundant. Following this meeting, the College will write to the employee confirming details of his/her redundancy, including:

- date of termination
- redundancy pay,
- notice period
- applicable benefits
- details of any support which may be available

The employee will also be given the right to appeal against the decision.

The College's aim is to avoid redundancies by securing alternative employment where necessary and wherever practical

## **2. Alternative Employment**

2.1 The College will make every effort to avoid compulsory redundancy through;

- natural wastage;
- reasonable re-training and/or redeployment;
- early retirement where applicable;
- reduced usage of agency staff and temporary employees (unless they are necessary prior to a closure situation or for special projects where specific skills or continuity are required).

2.2 Where appropriate the College may offer a voluntary redundancy scheme to employees. It reserves the right, however, to refuse an application for voluntary redundancy.

2.3 Positive action will be taken to place employees in alternative positions. Human Resources will advise on the availability and suitability of any "internal" vacancies. Where appropriate, interviews for jobs will be held. Reasonable re-training or additional training will also be discussed and considered, where appropriate.

2.4 For potentially redundant employees who accept alternative employment within the College, a trial period will be operated of up to 8 weeks with no loss of rights.

## **3. Selection**

The following criteria will normally be used:

- Where a job ceases to exist, the job holder will normally be the redundant employee;
- Where a number of jobs are redundant at the same time, the selection of employees for redundancy will take account of (in no particular order):
  - work performance,
  - possibilities for re-training,
  - qualifications,
  - willingness to relocate,
  - existing skills or aptitudes;
  - similarity of work;
  - disciplinary and /or absence record;
  - potential for future development.

#### **4. Facilities for Redundant Employees**

4.1 Employees under notice of redundancy will be allowed reasonable time off, subject to prior agreement by their manager/supervisor, with pay to:

- i) look for work;
- ii) attend interviews;
- iii) arrange for re-training.

4.2 Human Resources will provide details of the redundancy/severance payment due to employees who have been given notice of redundancy or who are considering volunteering for redundancy where such a scheme is provided by the College.

i) **Notice**

Full notice will be given and commences from the date of the written confirmation referred to in paragraph 6.2 above. This may either be worked (and paid as normal) or occasionally the College may consider making a payment in lieu of notice for all or part of the notice period. The notice period will be the greater of either the contractual or the statutory rights applicable to the individual.

ii) **Redundancy Payments**

The College will make any statutory redundancy payments to which the individual is entitled. This amount may be increased at the discretion of the College, details of any enhanced payments will be provided during the consultation period.

Severance payments which are less than £30,000 in total do not have National Insurance and Tax deducted by the College. There may be a tax liability relating to this payment in which event the individual will be responsible for its payment.

4.3 All other normal contractual payments which are taxable will be paid in the normal manner, included in final pay.

4.4 Any outstanding accrued holiday entitlement, will be paid (or deducted) in the employee's final pay.

4.5 Redundant employees who leave before their termination date will not receive a severance payment unless authorised by the Bursar.

#### **5. Appeal**

Where an employee wishes to appeal against his/her redundancy selection, he/she may appeal to the Personnel Committee by writing to the Human Resources Manager within 5 working days from receipt of the letter confirming the redundancy. The appeal must be in writing and provide detail of the grounds on which the appeal is based.

The Personnel Committee will appoint a senior employee of college as Appeal Manager to consider the appeal at a hearing. The employee will be invited in writing to an appeal hearing and will be given the right to be accompanied either by a work colleague or a trade union representative.

Following the appeal hearing the Appeal Manager will write to the employee confirming the outcome of the appeal and any relevant actions. The decision of the Appeal Manager will be final.

