

# UNIVERSITY OF ABERDEEN

## REDUNDANCY POLICY AND PROCEDURE (SUPPORT AND ACADEMIC RELATED STAFF)

### 1 AIM

The aim of this policy is to ensure that the University deals with redundancy in a fair, consistent and sympathetic manner in line with best practice and within the framework of relevant employment legislation and the statutes and ordinances of the University.

### 2 POLICY AND PRINCIPLES

#### 2.1 Introduction

It is the University's intention to provide a stable working environment and security of employment for all staff. However, circumstances may arise which necessitate reductions in staffing levels and, in such an event, the University, in consultation with the appropriate campus Trade Union(s), will seek to avoid or minimise compulsory redundancies where possible, by the use of other measures such as voluntary severance. Where compulsory redundancy is inevitable, the University will handle the redundancy in a fair, consistent and sympathetic manner.

#### 2.2 General Principles

- this policy and procedure will apply to all members of administrative, library and computing staff, other related staff and non-academic staff, other than those required to undertake teaching and/or research under the terms of their contract of employment who will be covered by the policy relating to teaching and research staff;
- the University recognises the need to keep Trade Unions informed as fully as possible about staffing requirements and any need for redundancies;
- wherever possible and practicable the University will aim to offer the employee who is likely to be made redundant, suitable alternative work within the University and the opportunity to retrain;
- consideration will be given to the use of non-compulsory severance, through the use of voluntary severance and other agreed mechanisms;
- the University will use specific objective criteria to select employees for redundancy;
- each member of staff selected for redundancy will receive written notice summarising the action taken by the University Court, the selection procedures used, and when the proposed dismissal is to take effect;
- the University recognises the right of employees to appeal against any proposed redundancy;
- if re-deployment is not possible, the University will offer employees reasonable paid time off to look for alternative employment during the final notice period;
- an employee selected for redundancy will be entitled to a redundancy payment if he/she has accrued the statutory period of service within the University;

- in accordance with the University's policy on Equal Opportunities, an individual will not be discriminated against either directly or indirectly because of their age, colour, ethnic or national origin, nationality, disability, health, sexual orientation, marital status, family responsibilities, gender (including gender reassignment), religious or political beliefs and affiliations, socio-economic background or any other inappropriate distinction.

### **3 PROCEDURE**

#### **3.1 Introduction**

Once the University has decided that it is necessary to reduce staffing levels, it will be necessary to select and recommend the requisite numbers of staff for dismissal by reason of redundancy.

Non-compulsory redundancies *will* be sought in the first instance through the use of voluntary severance.

#### **3.2 Consultation**

Where it is likely that the University will require to reduce staffing levels through compulsory redundancy, the University shall, at the earliest reasonably practicable opportunity, normally six months before a redundancy will take place, consult *all* appropriate recognised Trade Union(s) Official. Such consultation will be with a view to considering the ways and means of avoiding compulsory redundancies, reducing the number of employees to be dismissed, and mitigating the consequences of the dismissals and will be taken with a view to reaching agreements with the appropriate representatives. To enable the Trade Union(s) to make constructive proposals, the University shall supply them with all information it reasonably regards as relevant, including:

- the reasons for the proposed redundancies;
- the numbers and descriptions of employees who are likely to be affected;
- the total number of employees of any such description employed by the University;
- how employees are to be selected for redundancy;
- the period over which the redundancies are to take effect;
- how any redundancy payments are to be calculated;
- the proposed method of carrying out any redundancies.

The University will also supply, so far as is possible, any other appropriate or relevant information which may be requested by the Trade Union(s).

The University shall, at the earliest reasonably practicable opportunity, which shall normally follow consultation described above, consult with the employees likely to be affected (whether the redundancies be voluntary or compulsory).

#### **3.3 Selection Criteria**

In selecting members of staff for redundancy, specific criteria will be used based on the needs of the University *and also its staff* at the time of the redundancy. The relevance of

recent employment case law will be taken into account when agreeing the relevant selection criteria. The criteria will be objective and will be applied fairly and consistently, avoiding any bias to a specific criterion. *The University will ensure that the selection criteria are objective and free from any direct or indirect bias or discrimination.*

### **3.4 Notices of Intended Dismissal**

Where the Convenor of the Staffing & Development Committee approves a recommendation from a Dean/University Secretary, *they* will authorise an appropriate officer of the University to dismiss the relevant member(s) of staff. Each member of staff selected for redundancy will receive a redundancy notice detailing:

- a summary of the reasons for the dismissal;
- the selection process used to determine the individuals to be so dismissed;
- the date the dismissal will take effect;
- the procedure and timescales for appealing against the decision.

### **3.5 Period of Notice**

The University will endeavour to provide staff who are selected for redundancy with at least six months' notice of intended dismissal. In circumstances where this is not possible, notice will be according to the individual contract of the member of staff concerned, or the provision laid down by legislation, whichever gives the greater period of notice.

### **3.6 Assistance to Staff**

To assist in the consultative process, each member of staff selected for redundancy will be given information in writing along with the notice of intended dismissal, about the following:

- the counselling facilities available to staff to assist;
- the right to reasonable time off to seek alternative employment *and/or* retraining opportunities;
- the calculation of any intended redundancy payment;
- the availability of careers guidance and appropriate training courses.

### **3.7 Compensation**

The University of Aberdeen will apply the statutory redundancy payment calculation to any members of staff who are made redundant and who meet the criteria to receive such a payment.

In line with the Employment Equality (Age) Regulations 2006, there will be no lower or upper age limits for receiving a redundancy payment.

To be entitled to receive a redundancy payment, members of staff must have been continuously employed by the University of Aberdeen for a period of 2 years. The calculation will be based upon length of service with the University up to a maximum of 20 years.

This calculation will be revised as appropriate to take account of any changes to the statutory redundancy payment calculation.

### **3.8 Appeals**

Any member of staff wishing to appeal against dismissal by reason of redundancy must do so, in writing, to the Director of Human Resources within 28 days of the date of the redundancy notice, detailing the grounds for appeal. The Director of Human Resources will arrange for the appeal to be heard by the Appeals Committee. This Committee will comprise a Vice-Principal, a Lay member of Court and a Head of School (not the employing School).

The appeal will take the form of an oral hearing where the member of staff will have the right to be represented and may call witnesses. *Appropriate documentation can be presented at the appeal.* Appeals will be heard as expeditiously as reasonably practicable. The Committee hearing the appeal may allow or dismiss an appeal in whole or in part and may remit the case to the University Court for further consideration. A written reasoned decision will be issued to the member of staff.