

# UNIVERSITY OF ABERDEEN

## RESTRUCTURING POLICY AND PROCEDURE

### 1. INTRODUCTION

- 1.1 This policy and procedure should be read in conjunction with the Change Management Policy and the suite of related policies, procedures and guidance contained within the Change Management Toolkit.
- 1.2 The purpose of the Restructuring Policy and Procedure is to outline the University's approach to managing instances where organisational restructure is required that may include the possibility of a reduction in staff levels. Where proposed restructuring does include a reduction in staff levels, the Consultation on Avoidance of Redundancy Policy and Procedure will be instigated.
- 1.3 The Restructuring Policy and Procedure provides fair and transparent processes during restructuring. It will apply in instances where the University, schools or sections of the University, identify the need to restructure areas for different reasons which may include, but are not restricted to, where a financial, academic, strategic or service related review is needed to determine the sustainability or efficiency of an area, where roles need to be changed/re-organised to meet need and instances where teams/sections merge.
- 1.4 This policy does not form part of any member of staff's contract of employment. It may be amended periodically following appropriate consultation and/or negotiation with the recognised campus trades unions.

### 2. PRINCIPLES

- 2.1 All organisational restructuring exercises will be aligned to the University's vision, strategic goals and values.
- 2.2 The University will ensure that a fair and equitable approach is taken throughout this process with equality impact assessments being undertaken at an early stage.
- 2.3 Restructuring proposals will be subject to ongoing dialogue and consultation with the campus trade unions and staff. The extent and nature of consultation will be informed by the extent and potential impact of the restructuring proposal.

### 3. SCOPE

- 3.1 This policy and procedure applies to all University staff. It does not apply to those not employed by the University, for example agency staff or contractors.
- 3.2 It applies to exercises defined as involving 'major' change as referred to in the Change Management Policy, i.e. school/section restructurings or major changes to working practices that impact on school/section structures.

### 4. PROCEDURE

- 4.1 In line with the Change Management Policy, where a formal and strategic organisational review at a school, section or University-wide level is proposed the following procedure will be adopted.

## 4.2 Planning

- 4.2.1 The head of school/section<sup>1</sup> will prepare a business case with input from Human Resources and covering the points listed under Step 1 'Planning' in the Change Management Policy. Depending on the extent of the proposed changes, this business case will be approved by the Senior Management Team, Senior Vice Principal or University Secretary as appropriate.

## 4.3 Consultation and Communication

- 4.3.1 Consultation and communication will take place with the campus trades unions and with staff. Where proposals include a reduction in staffing levels, consultation with the trades unions will be undertaken with the Joint Consultation on Avoidance of Redundancy (JCCRA) group or JCCRA subgroup, determined by the scope and nature of the proposed restructuring exercise. Where proposals do not include reduction in staffing levels, consultation with the trade unions will be undertaken with the relevant JCCRA subgroup. The membership of the consultation group will be agreed with the campus trades unions on a case by case basis.
- 4.3.2 In restructuring exercises where there is any potential of redundancy, staff will be advised at the outset of the consultation exercise and placed 'at risk' so that they are fully aware of the potential outcomes and have access to the support available at the earliest opportunity.
- 4.3.3 Where proposals do not include reductions in staffing levels, the length of consultation process will typically be 30 days. Depending on circumstances, such as the complexity of the restructure, the JCCRA subgroup may agree a longer period of consultation to ensure appropriate engagement of staff and stakeholders and to assist decision making. Where a restructuring exercise has potential redundancy implications the length of the consultation process will be as defined in accordance with the JCCRA Policy and Procedure.
- 4.3.4 The consultation and communication exercise with the trade unions and with staff will be undertaken in line with Step 2 'Consultation and Communication' of the Change Management Policy. This will include proposed methods for populating new structures. When considering a new structure, the head of school/section must first examine the current and proposed structures to assess whether posts in the new structure are unchanged; substantially the same as an existing post where the grade is unchanged, or whether the posts and/or grades are different. Where significant changes to posts and/or grade changes are proposed, it must be decided which process is to be adopted – assimilation, ring-fencing and/or competitive selection, as outlined below in Section 4.3.6. Where any such process means that existing posts or individuals are put at risk or redundancy, full formal consultation must be undertaken with the affected staff, as per the provisions in the Consultation on Avoidance of Redundancy Policy.
- 4.3.5 It is essential that the decisions to form proposals for consultation are made objectively and in a consistent way. Therefore the relevant head of school/section should liaise with the appropriate HR Partner to formulate proposals for populating new structures in advance of consultation with the relevant JCCRA/JCCRA sup-group.

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<sup>1</sup> The manager preparing the business case will be a member of SMT, Head of School, Head of Professional Services area as appropriate.

#### Methods for Populating New Structures

4.3.6 Methods for populating new structures will be discussed as part of the consultation process with a view to reaching agreement with the campus trades unions. However, it is appreciated agreement may not be reached in all circumstances.

Generally the following measures and related principles will be adopted.

#### *Definitions of posts within the New Structure*

Proposed new structures will be developed and the type and number of posts defined. The posts within the proposed new structure will then be ring-fenced to be considered against staff in the organisational structure affected by the proposal.

Person Specifications and Job Descriptions for any new or substantially changed posts will be made available to the campus trades unions and staff affected as part of the consultation process on the proposals. The definitions of posts will be categorised under the following headings:

**New posts** – posts which are completely new to the University or posts which have changed sufficiently to be classed as new (i.e. a match of less than 75% to duties and responsibilities of any current post);

**Posts not substantially affected by change** – posts which are not changing at all or are not substantially affected by change (i.e. a match of 75% or more to duties and responsibilities of any current post);

**Removed posts** – posts that do not exist in the proposed structure.

#### *Procedure to be adopted for appointing to new structures*

##### *New posts*

The University's key aim is to ensure as far as possible stability of employment and avoidance of redundancy. In recognition of this, a selection pool may be determined which will give staff affected by change the opportunity to apply on a ring-fenced basis in advance of posts being made available to other members of staff already on the redeployment register and, thereafter, any broader recruitment exercise.

The University will seek to consult with the campus trades unions on proposed selection pools for such purposes. Staff will normally only be eligible to enter a selection pool for posts which are at the same or lower grade as their substantive post. Only in exceptional circumstances, in accordance with the University's commitment to avoidance of redundancy, will staff whose posts do not exist in a new structure, be eligible to enter a selection pool for a post at a higher grade than their substantive post. In such cases appointment will be subject to an assessment process (individual or competitive) to satisfy that they meet the requirements of the role (or will be able to do with an appropriate period of training).

##### *Posts not substantially affected by change*

##### *Assimilation*

Assimilation applies where:

- there is little or no change (defined as 75% or more match) between the role in the old and new structure, and
- the number of roles remains the same or there are more roles available than staff matched to roles.

Staff are automatically appointed to the role without an assessment process or trial period.

### Ring-fencing

Ring-fencing will apply where:

(i) there is no change between the role in the current and proposed structure but there are fewer posts available than staff matched to the roles.

An assessment process is required to determine which staff should be appointed to the role(s) but there is no requirement for a trial period. Following a successful assessment process, the member of staff will be automatically appointed to the role without a trial period.

(ii) where the post in the new structure is not fundamentally the same but sufficiently similar in nature to be considered suitable alternative employment. The manager will identify possible alternative roles based on the requirements of the current role as compared with those of the duties, responsibilities, skills required and grade of the new role(s).

A selection process is required to assess suitability for the role(s) and the appointment will be subject to a trial period.

### Removed posts

Some posts may be identified as being removed from the new structure. This would include, for example, where an entire subject area within a school or an entire section of a professional services area is being closed and, as such, alternative posts are not available within the structure. In such situations the Consultation on Avoidance of Redundancy Policy and Procedure will be followed including identifying any appropriate redeployment opportunities to avoid redundancy.

### Open Competitive Selection

Open competitive selection applies after staff from the groups impacted by the restructure have been given an opportunity to apply for available roles and, subsequently, those on the University's Redeployment register have been given an opportunity. Any remaining vacant roles can then be advertised and filled in line with the University's Recruitment and Selection Policy.

### Assessment and Selection Methods during Restructuring Exercises

The head of school/section will determine the appropriate selection criteria and assessment method, where required, for allocating staff to posts in the new structure, having consulted with the affected staff and the campus trades unions. The selection criteria used must be fair, clear, non-discriminatory, easily evidenced and in line with the needs of the school/section. The methods for assessing staff might include:

- interviews;
- relevant tests;
- written submissions;
- management assessments.

### Restructuring Pack

4.3.7 A restructuring pack will be issued to staff which will contain:

- The rationale for the proposal;
- The proposals for the restructure;
- Structure charts for current and proposed new structure;
- The proposed process for moving from the current structure to the new;
- Where relevant, a list of the anticipated positions at risk of redundancy arising from the proposed restructure;
- The timescale including the start of the consultation process, dates of staff meetings, individual consultation meetings, anticipated close of the consultation period, deadline

for feedback, anticipated timeframe for restructuring processes (matching, ringfencing, competitive selection processes), proposed implementation date of the new structure;

- Where support and advice can be obtained;
- Detail of how to feedback on the consultation;
- Where relevant, revised job descriptions;
- Frequently Asked Questions (tailored to suit particular circumstances)

#### 4.4 Decision to proceed following consideration of feedback during the consultation period

4.4.1 Comments and suggestions will be considered during the consultation period. Feedback on these will be provided to staff and the trade unions and detail of what decisions have been taken confirmed in writing as per Step 3 'Decision' of the Change Management Policy.

#### 4.5 Implementation

4.5.1 Following any changes agreed by consultation, the restructuring exercise will be implemented including the methods for populating new structures as outlined above and following the steps detailed in Step 4 'Implementation' of the Change Management Policy.

#### 4.6 Consolidation and Learning

4.6.1 As outlined in Step 5 'Consolidation and Learning' of the Change Management Policy, an exercise will be undertaken to evaluate and understand whether the original objectives of the restructuring exercise have been met and to identify any lessons for future exercises of a similar nature. The scope and scale of this will be determined by the nature and scale of the change exercise. The time and resources dedicated to it will be consistent with the original scope and the desired output.

Date agreed: February 2020

Date for Review: February 2022

<b>Title</b>	Restructuring Policy and Procedure
<b>Author / Creator</b>	Tracey White
<b>Owner</b>	Director of People
<b>Date published / approved</b>	February 2020
<b>Version</b>	1
<b>Date for Next Review</b>	February 2022
<b>Audience</b>	All staff
<b>Related</b>	Change Management Toolkit Consultation on Avoidance of Redundancy Policy
<b>Subject / Description</b>	This policy outlines the University's approach to managing instances where organisational restructure is required that may include the possibility of a reduction in staff levels
<b>Equality Impact Assessment</b>	2020
<b>Section</b>	HR
<b>Theme</b>	Restructuring, Redeployment, Redundancy Avoidance
<b>Keywords</b>	HR, Staff, Restructuring, Employment, Consultation, Redundancy, Change