

**POLICY AND GUIDELINES
FOR DEALING WITH
ORGANISATIONAL CHANGE**

Approved by the Board of Governors: 3 July 2007

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PRINCIPLES AND OBJECTIVES

P1. The principles and objectives of this policy are:

- To assist in the process of achieving and implementing necessary organisational changes.
- To ensure that employee interests are considered positively as an integral part of the process.
- To minimise any risk of misunderstanding and differences.
- To protect as far as possible the employment of staff.
- Where redundancy becomes necessary, to explore suitable alternative job opportunities within the University.
- Where dismissal by reason of redundancy becomes necessary, to reduce the hardship that is involved wherever possible.
- To undertake this process as quickly and as thoroughly as possible, to alleviate the stress of the staff concerned.
- Matters of performance or discipline will not be handled under this procedure, but under other appropriate procedures.
- The policy applies to all employees of the University of Chichester.

P2. CONSULTATION/COMMUNICATION

P2(i) The Purpose of Communication

The purpose of communication with the recognised trade unions is to consult, and invite feedback, on implications for staffing and on measures to avoid or mitigate redundancy, in compliance with the requirements of the Trade Union & Labour Relations (Consolidation) Act 1992 as amended. It is recognised throughout that, where there is a possibility of dismissal from post or from the employment of the University, trade union members will have the right to call on the advice and services of their full-time Trade Union Officer.

P2(ii) Strategic Planning

- a) Management is committed to consulting with the recognised trade unions (UCU and UNISON) regarding the draft Corporate Planning Statement in the light of the student recruitment profile. This consultation will take place on an annual basis at the earliest opportunity at a meeting of the Joint Consultative Group (JCG). A Special Meeting of the JCG will be arranged as necessary.
- b) If the Corporate Planning Statement contains any indication of significant changes in staffing, for example a decrease in established posts or student recruitment forecasts, a Sub-Group of the JCG will be appointed by the JCG to discuss the effects on staffing. The JCG will agree the appropriate constitution of the Sub-Group, depending on the possible changes that are identified, ensuring that UCU and/or UNISON are/is represented as appropriate.
- c) Potentially 'at risk' staff groups will be notified by appropriate senior management of the situation as soon as possible.
- d) Regular reports on progress/timetables will be provided to the full JCG throughout the process.

P2(iii) Changes Outside the Strategic Plan

- a) Normally developments will be detailed in the Corporate Planning Statement. It is acknowledged, however, that there may be other changes which could have implications for staff, for example, cuts in funding, loss of external contracts, etc.
- b) Consultation will take place at the earliest possible opportunity by convening a meeting of the JCG. The relevant recognised trade unions must be consulted even where their membership amongst the staff affected is thought to be minimal.
- c) Potentially 'at risk' staff groups will be notified by appropriate management of the situation as soon as possible.

P2(iv) Communication/Consultation with Staff

- a) Any potential changes will be communicated to employees and their representatives as early as possible.
- b) Employees and their representatives will be given the opportunity to comment on the changes and have such comments considered.
- c) The employees affected will be treated in the most considerate way possible.
- d) It is accepted that change is necessary, and often desirable to improve the efficiency of the University's services, and that it is important that staff understand the full reasons for such change.
- e) Difficulties can sometimes be encountered in terms of the timing of communications with staff and unions. As a general rule, efforts will be made to consult unions and staff as near together as possible. It is acknowledged that the management negotiating team and the trade unions will need to discuss the most appropriate approach depending on the nature of the proposals and considering the need for sensitivity and, in some cases, confidentiality.
- f) Members of staff have the right to be accompanied by their trade union representative or a work colleague at any meeting with management under this procedure.

REVIEW OF POLICY AND GUIDELINES

The policy and guidelines have been subject to formal consultation between UCU, UNISON and the UNIVERSITY OF CHICHESTER and will be reviewed jointly as and when appropriate, utilising an independent Chair agreed by the JCG, by agreement but no later than **1st July 2008**.

THE PROCEDURE

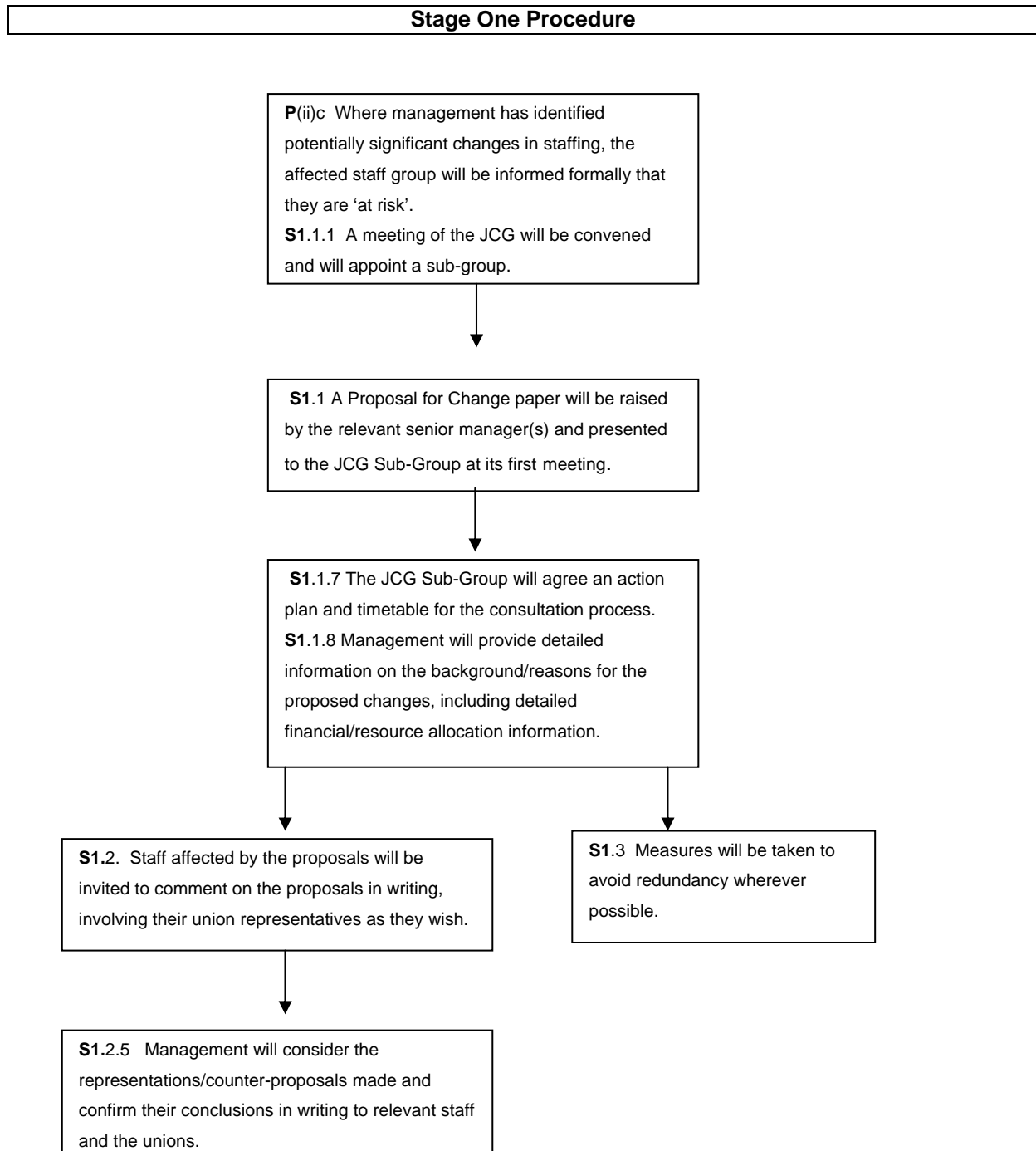
Stages of the Procedure

The stages in the procedure are:-

Stage 1: to explore measures to avoid or mitigate redundancy;

Stage 2: if necessary, to proceed to implementing the procedure for dealing with redundancy.

STAGE ONE PROCEDURE: TO EXPLORE MEASURES TO AVOID OR MITIGATE REDUNDANCY



S1.1 PROPOSED MANAGEMENT CHANGES

- S1.1.1** Where staff are declared formally 'at risk' the JCG will be convened, and will appoint a Sub-Group.
- S1.1.2** A Proposal for Change paper will be produced by management where there is any indication of significant staffing changes in the strategic planning process, or at other times when changes to staffing structures and/or significant changes in contractual conditions affecting employment stability are proposed.
- S1.1.3** The purpose of the Proposal for Change paper is to deal with organisational change in a structured way that enables meaningful consultation to take place with the trade unions and the staff affected.
- S1.1.4** The Proposal for Change paper should include an appraisal of all, or some, of the following:
- a) Proposed organisational change
 - b) Reasons for the proposals
 - c) Proposed method of implementing changes
 - d) Detailed financial and resource allocation information
 - e) Implications for staff where known
- S1.1.5** It is agreed that consultation on such Proposals for Change will take place with the relevant Trade Union(s) or with any Sub-Group of the JCG dealing with Proposals for Change, depending on which is most appropriate. It is vital that such discussions are also reported at the earliest opportunity to the JCG.
- S1.1.6** The formal procedure commences when the JCG Sub-Group convenes to discuss the changes proposed by management.
- S1.1.7** At the first meeting of the Sub-Group, the group will seek to agree an appropriate action plan and timetable to deal with the Proposal for Change. This action plan will include a consultation process which shall be agreed wherever possible.
- S1.1.8** Information will be provided by management at the earliest reasonable opportunity on the background and rationale for the proposed changes, to inform and assist the consultation process. This will include detailed financial and resource allocation information as required. This information will also be made available to staff who are potentially affected by the proposed changes.

S1.2 REPRESENTATIONS

- S1.2.1** The purpose of this procedure is for staff and unions to identify ways in which redundancy can be avoided or mitigated. Staff affected by the proposals detailed in the Proposal for Change are invited to comment fully on the proposals in writing. They may involve their union representatives as they wish.
- S1.2.2** Where appropriate, a senior manager will be appointed to work with an affected staff group, to assist them in developing relevant alternative proposals.
- S1.2.3** The JCG Sub-Group will endeavour to agree a reasonable timescale for the preparation and receipt of representations.

S1.2.4 In the event that there are no representations or counter-proposals within this period, the proposals may be implemented without further delay.

S1.2.5 Where representations or counter-proposals are made, serious consideration will be given by management to any representations or counterproposals made, typically within 10-15 working days of receipt. The results of such considerations will be conveyed in writing and, where such counter-proposals are rejected, full written reasons will be given.

S1.3 MEASURES TO AVOID REDUNDANCY

S1.3.1 Account will be taken of the particular circumstances and the financial situation of the University during the period of change identified in the Proposal for Change. Any agreement will be subject to negotiation with the trade unions and individual members of staff.

S1.3.2 In any circumstances where there are potential staffing reductions every effort will be made to reduce the number of possible compulsory redundancies.

S1.3.3 The management negotiating team and the recognised trade unions will consult on the appropriate measures to be implemented for each particular situation.

S1.3.4 The JCG Sub-Group will consider any proposed variation to the measures outlined below (e.g. in the case of a single redundancy).

S1.3.5 In accordance with the requirements of the Trade Union & Labour Relations (Consolidation) Act 1992 or any modification thereto, this set of measures is intended to prevent the necessity for redundancies to be declared. Consideration will be given to whether these measures (see examples below) apply to all or any specific areas of the University.

S1.3.6 Limitations on Recruitment

S1.3.6.1 Where appropriate, an embargo may be placed on the recruitment of new members of staff, to be decided at the first meeting of the JCG Sub-Group. Limitations on the areas of recruitment and appropriate timescales will be discussed, based upon the Proposal for Change proposals.

S1.3.6.2 Where potential redundancy has been identified, the following steps will be taken before external recruitment takes place:

- (i) Staff known to be threatened by redundancy will be notified of any job vacancies via the Vacancy Noticeboards (or any other method considered appropriate by the JCG Sub-Group) and may apply for suitable posts.
- (ii) The vacancies will be advertised internally, and the closing date for applications, normally five working days from the date of publication, will appear on the advertisements.
- (iii) The relevant recognised unions will also be notified of the vacancies and may make representations on behalf of their members within the application period.
- (iv) Where the vacancy (or vacancies) arise within an 'at risk' area, these posts will be published and made available only to applicants from the area in the first instance.
- (v) Internal applicants for the post(s) will be interviewed prior to external candidates and, should any of the affected staff fulfil the requirements of the post(s), or be likely to do so after a reasonable period of essential on-the-job training, an offer of appointment will be made. Full protection of salary in these circumstances cannot be guaranteed; criteria will be established by the JCG Sub-Group.

S1.3.6.3 If the post(s) cannot be filled from among members of staff at risk of redundancy or other internal applicants, and the Senior Management Group considers recruitment desirable to maintain the viability of the University, the post will be advertised externally.

S1.3.7 Retraining/Staff Development/Redeployment

S1.3.7.1 Where staff are identified as potentially 'at risk' of redundancy by the Proposal for Change, the following actions will take place:

- (i) Management will identify suitable areas for redeployment wherever they arise, including known or potential vacancies.
- (ii) Staff and the recognised trade unions will be invited to identify other possible areas for redeployment.
- (iii) Staff who are confirmed to be at risk will be invited to attend an individual meeting with:
 - (a) their Head of School/Department (unless also at risk) or other relevant manager; and
 - (b) an HR Officer.Staff may be accompanied by their trade union representative or a work colleague. (See Appendix 2)
- (iv) The purpose of the meeting is to assist the member of staff in identifying areas of possible retraining/staff development/redeployment. A report will be produced by the line manager/HR Officer and copied to the individual concerned; it will also be made available to appropriate members of the JCG Sub-Group for consultation purposes.

S1.3.8 Other measures which could be considered by the JCG Sub-Group, as appropriate:

- Voluntary early retirements and/or voluntary redundancies, to be agreed by the Governors' Executive Committee (see Appendix 4)
- Reducing the amount of overtime worked.
- Staffing arrangements, e.g. job sharing or part-time work.
- Unpaid leave.
- Retirement of people beyond the normal retirement age.
- Other savings appropriate to the circumstances.

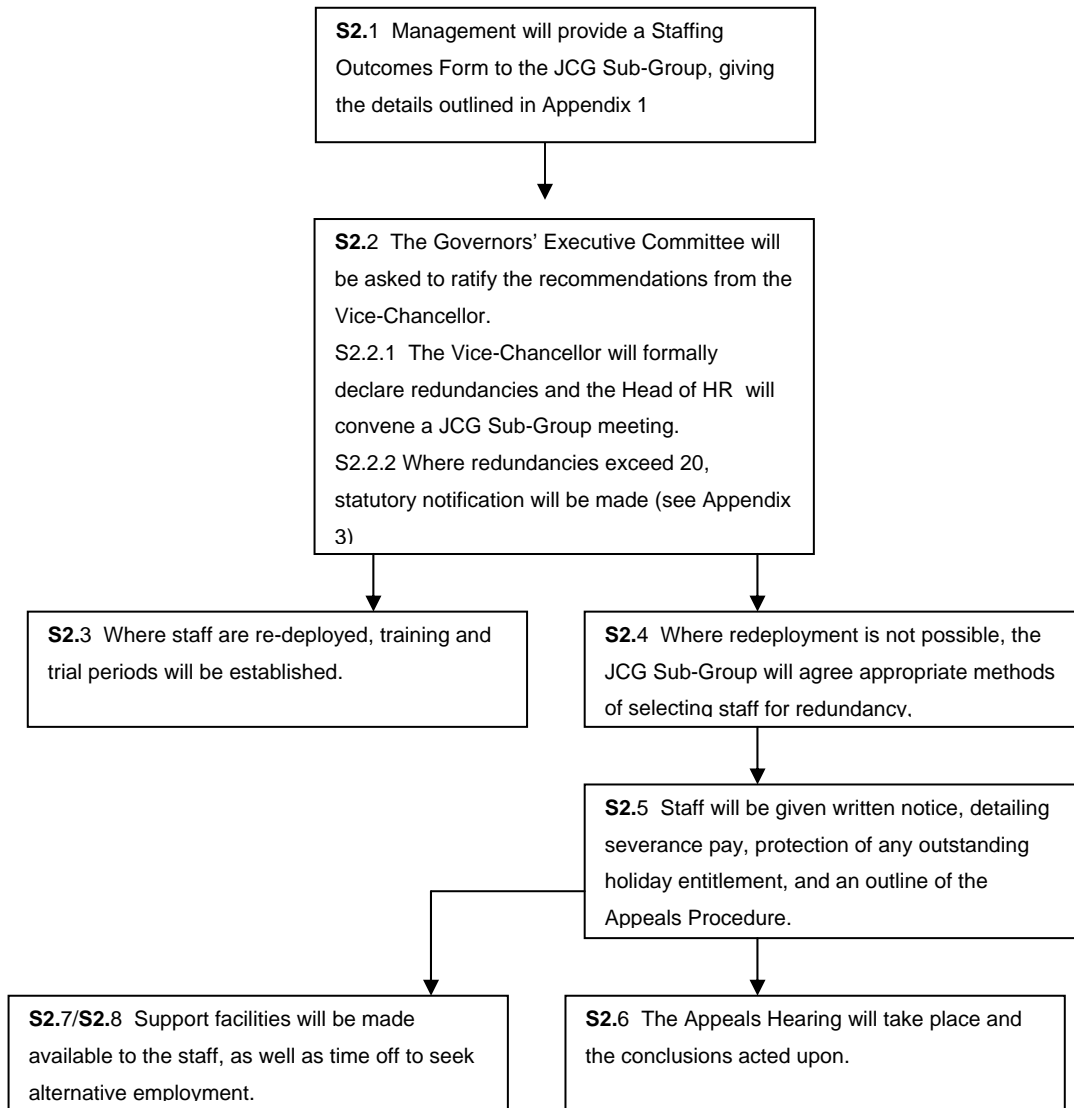
S1.4 STATUTORY CONSULTATION

Where there is a requirement for statutory consultation this will be undertaken in writing by the Head of Human Resources in conjunction with the Vice-Chancellor. (The requirements relating to consultation on potential redundancy situations are set out in Appendix 3.)

Where redundancies are declared the procedure outlined in Stage 2 will operate.

STAGE TWO PROCEDURE: TO IMPLEMENT THE PROCEDURE FOR DEALING WITH REDUNDANCY

Stage Two Procedure



S2.1 STAFFING OUTCOMES FORM

- S2.1.1** Following the consultation process outlined in Stage 1, where implications remain for staff, a Staffing Outcomes Form for each 'at risk' area will be provided by management to the JCG Sub-Group and 'at risk' staff at the earliest possible opportunity (see Appendix 1).
- S2.1.2** Where there is a decision to reduce staffing, every effort will be made to minimise the need for compulsory redundancy. In this respect the Staffing Outcomes Form must include:
- a) details of the measures put into place to avoid compulsory redundancy; and
 - b) the period over which these measures to avoid redundancy will take place.
- S2.1.3** Where the assessment and/or information is of a sensitive and/or personal nature, the trade unions and management will respect the confidentiality of the information supplied. Where the need to maintain confidentiality of the information gives rise to difficulty, discussion should take place in order to determine how to deal with the situation.
- S2.1.4** The Staffing Outcomes Form will be passed to local representatives of the recognised trade unions, who may pass the information to their regional officers.

S2.2 FORMAL NOTIFICATION

- S2.2.1** Redundancies will be declared by the Vice-Chancellor after ratification by the Governors' Executive Committee. The Head of Human Resources will contact all recognised trade unions immediately to arrange a JCG Sub-Group meeting within a maximum of 10 working days of the Vice-Chancellor's declaration. The purpose of the meeting will be (a) to review the process undertaken so far as necessary; and (b) to seek to agree the procedure to be followed thereafter.
- S2.2.2** Where the number of redundancies exceeds 20, a formal statutory redundancy notification will be made to the Headquarters of the recognised unions and the Department for Trade and Industry (see Appendix 3).

S2.3 REDEPLOYMENT AND TRIAL PERIODS

- S2.3.1** Prior to offering redeployment to a member of staff, the nature of the alternative employment will be defined, training requirements will be identified and a new job description will be prepared.
- S2.3.2** An employee who accepts the offer of alternative employment will, in accordance with the statutory provisions of the Employment Rights Act 1996, be entitled to a trial period of four weeks minimum from the date on which the employee starts work under the new or renewed contract of employment. For academic staff a normal trial period will be one semester, which will include any essential on-the-job training.
- S2.3.3** The trial period will enable both the employee and the University to determine whether the post offered is suitable. The trial period may be extended for the purposes of retraining. Provisions relating to the trial period or its extension will be given in writing to the employee and representative.
- S2.3.4** Where the University or the employee terminates the contract of employment within the trial period, s/he will be treated as having been dismissed on the date on which the previous contract ended. S/he will be entitled to a redundancy payment on the same basis as that which was operable when the employee accepted the post, unless the University can show that the alternative employment offered was suitable and the employee unreasonably refused to continue with it.

S2.4 SELECTION CRITERIA FOR COMPULSORY REDUNDANCY

S2.4.1 Where selection for compulsory redundancy is required, the JCG Sub-Group will agree how selection for redundancy will be undertaken.

S2.4.2 Where appropriate, detailed criteria for selection may be drawn up, based upon the headings listed below. Performance does not feature within the list of criteria; it will be dealt with via the appropriate procedures. The criteria will be considered in order to ensure that, at the conclusion of the selection process, the University has a workforce that is able to meet its future needs.

Criteria will include:

- a. Skills (including specialist skills)
- b. Experience

S2.5 CONFIRMATION OF REDUNDANCY

S2.5.1 Where it is confirmed that posts are to be declared redundant, employees affected by the decision will be given written notice terminating their contracts of employment in accordance with contractual entitlements. The confirmation will include details of severance pay, the protection of any outstanding holiday entitlement, and an outline of the appeals procedure.

S2.6 RIGHT OF APPEAL

S2.6.1 Once selection for redundancy has been confirmed, the employee will have the right to appeal against redundancy (this right is not available to an employee who takes voluntary redundancy).

S2.6.2 Written notice of the intention to appeal must be received by the University Secretary/Clerk to the Board of Governors within 10 working days of the date of the notice of selection for redundancy. However, a request from the employee after this date will not be unreasonably refused.

S2.6.3 The appeal will be heard by:

- a) 3 members of the Board of Governors (with both male and female representation), excluding staff and student members and any member of the Governors' Executive Committee or member of staff involved in the earlier process;
- b) the Secretary/Clerk to the Board of Governors or substitute nominated by the Clerk, acting as secretary only;
- c) the appellant will normally be expected to attend and may be accompanied by their trade union representative or a workplace colleague.

S2.6.4 The appeal will normally take place within one month of the appeal being lodged. The decision of the Board of Governors will normally be communicated in writing within 3 working days of the hearing.

S2.7 EMPLOYEE SUPPORT

S2.7.1 Every reasonable effort will be made to support those staff whose posts have been declared redundant. It is recognised that this situation will cause a high degree of distress and/or stress to the individual(s) concerned and employee support facilities such as outplacement support, counselling, Employment Helpline etc. will be made available at no cost to the employee.

S2.7.2 Staff who have been made redundant will retain their access to appropriate office services (e.g. library, telephone, photocopiers, computers, email and Internet facilities) during their notice period, unless the University considers that allowing staff to retain access to facilities may constitute a security risk.

S2.8 TIME OFF TO SEEK ALTERNATIVE EMPLOYMENT

S2.8.1 The University will also assist employees under notice of redundancy by granting reasonable time off work with pay for the purposes of seeking alternative employment, or for retraining opportunities. The line manager of the department will be responsible for facilitating this as far as possible.

STAFFING OUTCOMES FORM

SECTION ONE
Effects on the requirements for staff (including proposed changes to job content, technology, working arrangements, staffing structures and methods of work and any resultant changes to grades and remuneration of staff. May also include any transfer of staff between departments and/or locations, or between the University and other employers).
Number and description of staff concerned:
Total number of such staff employed in the affected area(s):
Proposed method of implementing the changes:
Proposed management actions for dealing with the staffing implications of the proposal:
Is there a proposed reduction in staffing or a potential redundancy situation? YES/NO (delete as appropriate) <i>If yes, complete the next section</i> <i>If no, ignore the next section</i>
SECTION TWO
Measures to be taken to avoid compulsory redundancy:
The period over which these measures will take place:

Signed:
(Deputy Vice-Chancellor)

Date:

cc Local Union Representatives UCU
Local Union Representatives UNISON

**Individual Meetings between
Line Managers and 'At Risk' Staff**

Before the Meeting

1. Ensure that the member of staff is informed that they have the opportunity to be accompanied by their trade union representative. Alternatively, they may wish to be accompanied by a work colleague.
2. Ask them to bring an up to date Curriculum Vitae to the meeting if available.

Introduction to the Meeting

- A. Outline the purpose of the meeting, which is to assist the 'at risk' member of staff in identifying:
 - Qualifications, skills and expertise (which may not be incorporated in their current CV)
 - Areas of possible redeployment in their/their manager's view (NB This will not form a commitment of any kind by the member of staff)
 - Staff development/training which might be required to equip them for the redeployment possibilities identified at 2.
- B. This form must be completed by the Line Manager and forwarded to Human Resources. The contents will be made available to UCU Representatives and UNISON Representatives and the Head of Human Resources (Elisabeth Whitaker) for consultation purposes.

<p>1. Outline the qualifications, skills and expertise identified at the meeting by the member of staff. Attach a copy of the Curriculum Vitae.</p>
<p>2. If the member of staff HAD to consider redeployment, what other areas of the University do they feel they might be interested in and suitable for?</p>
<p>3. If redeployment possibilities are identified above, what staff development/training do you think might be needed to equip the member of staff for that area/post? Also outline how long such development would take to equip them fully for the new work if relevant.</p>

Staff Name (block caps):

Signature:

Line Manager's Name (block caps):

Signature:

Union Representative's Name (block caps):

Signature:

Notes re Redeployment Procedures

- 'At risk' staff are strongly advised to apply for any vacancies which appear on the internal noticeboards which appeal to them and for which they are suitable.
- They will be interviewed for the post(s) wherever they meet the person specification.
- All internal candidates will be interviewed at the same time.
- The recruiting manager will consider the 'at risk' staff carefully, including assessing whether they could fulfil the requirements of the post after a reasonable period of training/staff development.
- If the 'at risk' member of staff is offered the post, they will: a) have to make a decision about whether to transfer or not; and then (b) have a period of at least 4 weeks (legal minimum) in which they and the recruiting manager can decide whether the transfer is working. For academic staff this period is likely to be one semester. If the transfer is not successful during the trial period, the employee will be entitled to redundancy payment as before.
- If the 'at risk' member of staff is not to be offered the post, the recruiting manager will be required to supply written details of the reasons for this decision to the JCG Sub-Group and appointed Review Panel.
- If no internal member of staff can be appointed, the vacancy will be advertised externally.

STATUTORY PROCEDURE FOR DEALING WITH REDUNDANCY

1. Introduction

This procedure aims to ensure that, where redundancies are inevitable, they will be handled in a fair, consistent and non-discriminatory manner, in accordance with current legislation and the University's Equality and Diversity policies. Only when the provisions of Stage 1 have been exhausted will the procedures detailed in this Appendix become operable.

2. Definition

Redundancy is defined in S139 of the Employment Rights Act 1996 as follows:

'An employee shall be taken to be dismissed by reason of redundancy if the dismissal is attributable wholly or mainly due to the fact that:

- a) her/his employer has ceased, or intends to cease:
 - i) to carry on the business for the purposes of which the employee was employed by her/him; or
 - ii) to carry on the business in the place where the employee was so employed; or
- b) the requirements of the business for employees:
 - i) to carry out work of a particular kind; or
 - ii) to carry out work of a particular kind in the place where the employee was employed;

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

Redundancies may also be caused by restructuring, e.g. where two departments are merged.

3. Statutory Consultation

Consultation must take place as follows:

Numbers of Potential Redundancies	Minimum Notification Period
Less than 20	As much notice as possible (28 days if possible)
20-99	at least 30 days
100+	at least 90 days

The University recognises that it is good practice to consult employee representatives and affected employees at the earliest reasonable opportunity.

In accordance with the requirements of the Trade Union & Labour Relations (Consolidation) Act 1992, as amended, consultation shall include consultation about

- ways of avoiding dismissals
- reducing the numbers of employees to be dismissed
- mitigating the consequences of the dismissals

taking into account the discussions already undertaken in accordance with Appendix 2.

If redundancies are declared, formal statutory consultation must commence in accordance with the requirements of the Trade Union & Labour Relations (Consolidation) Act 1992, as amended.

4. Disclosure of information for the purposes of consultation

Where a potential or actual redundancy situation has been identified which falls into any of the categories at 2 above, the following information will for the purposes of consultation be disclosed in writing to the recognised trade union representatives, including the relevant full-time Officer, in accordance with the requirements of the Trade Union & Labour Relations (Consolidation) Act 1992, as amended:

- a) the reasons for the University's proposals and evidence of consideration of other means of avoiding redundancy;
- b) the numbers and descriptions of employees whom it is proposed to dismiss as redundant;
- c) the total number of employees of any such description employed by the University;
- d) the proposed method of selecting the employees who may be dismissed;
- e) the proposed method of carrying out the dismissals, including the period over which the dismissals are to take effect;
- f) the proposed method of calculating any non-statutory redundancy payments.

Detailed calculations will be provided by the Finance Department to employees who are made redundant, including information on what constitutes reckonable service.

VOLUNTARY REDUNDANCY PROCEDURES AND VOLUNTARY EARLY RETIREMENT

1. Voluntary Redundancy

Where appropriate, and as approved by the Governors' Executive Committee, a voluntary redundancy programme may be declared by the Vice-Chancellor.

The programme may be open (a) only to staff in declared 'at risk' areas and/or (b) to all staff, depending on the circumstances which pertain at the time.

Voluntary redundancy is not an employee right and management reserves the right to refuse any application in the following circumstances:

- (a) where the employee would have to be replaced and where no substantive saving can be made by releasing the employee, in which case the post cannot be declared redundant;
- (b) where the department concerned cannot operate successfully without the employee's specific skills and expertise;
- (c) where the redundancy of the employee concerned would not serve the long-term interests of the University i.e. the person's specific skills and expertise are required in the long term.

The arrangements for the voluntary redundancy programme will be published to relevant staff at the time, with clear examples of how to calculate voluntary redundancy pay.

There will be a specific close date, published at the commencement of the programme, beyond which no new applications will be considered.

Any employee taking voluntary redundancy will be required to sign a Compromise Agreement, under which the employee contracts out of their statutory employment rights, including pursuing a case at an employment tribunal. This Agreement will fulfil the terms of the Employment Relations Act 1996. This includes a requirement for employees to seek independent legal advice from a relevant independent advisor about the effect of the agreement and his/her rights before an employment tribunal. The legal advice will be paid for by the University up to an agreed maximum amount.

2. Voluntary Early Retirement

Anyone considering early retirement should seek independent professional financial advice on the consequences for their future pensions.

The two pension schemes (Teachers' Pensions and the Local Government Pension Scheme) differ. Details are given below:

(a) Local Government Pension Scheme

Where an employee is made redundant AND has at least two years' total scheme membership AND is aged 50 or over, he/she will receive accumulated LGPS benefits. The pension will be index-linked for those aged 55 and over.

For those under 55, the index-linking will apply from the date of becoming age 55 and will be backdated.

(b) Teachers' Pension Scheme

Actuarially Reduced Benefits

A member of the scheme can voluntarily access their retirement benefits before the Scheme's normal retirement age of 60 *if they are aged 55 or over and under 60*¹. The benefits will be actuarially reduced permanently, according to the employee's age at retirement (although the reduced pension will attract index linking).

Stepping Down Arrangements:

Transfer to a post of less responsibility: protection of accrued pension rights

Any member of the Teachers' Pension Scheme who transfers to a post of lesser responsibility at a lower rate of salary, and who has not previously been in receipt of retirement benefits under the Scheme, may be eligible.

Overriding conditions

The transfer must be to another post at a lower rate of salary. If the new post is with the same employer, the employer must certify within three months after the transfer taking place that the transfer is in the interests of the efficient discharge of the employer's functions.

However, if there has been a change of employer, the former employer must, within three months of the appointment certify that: a) the member had provided satisfactory service throughout the period of employment with them; and b) the member ceased the employment with them with the intention of seeking employment in a new post with less responsibility with the new employer.

There must not be a gap of more than six months between the two posts.

The member must not have already elected to pay contributions on a former higher salary rate. (More information about this arrangement can be found in Leaflet TR22 which is available from Teachers' Pensions).

Note: The arrangements in Leaflet TR22 only apply if they are found to be to the member's advantage when comparison is made at retirement with benefits calculated in the normal way.

Further details can be accessed on <http://www.hmsc.go.uk/si/si1997/1973001.htm>

¹ ... and were in pensionable employment on or after 30th March 2000

PAYMENTS TO REDUNDANT EMPLOYEES

1. Redundancy Payments

S135 of the Employment Rights Act 1996 outlines an employee's entitlement to the following statutory payments (subject to a maximum of 20 years service being counted towards the completed years of service):

COMPLETED YEARS OF SERVICE AT EACH AGE	NUMBER OF WEEKS PAY
41 and over	X 1.5 weeks pay
22 – 40	X 1 weeks pay
Under 22	X 0.5 weeks pay

The maximum amount of weekly pay used for the calculation of the statutory redundancy payment is reviewed by the Government on 1 April each year (from 1st February 2007 the statutory limit was £310 per week).

The University can award discretionary redundancy payments in compliance with the Local Government (Compensation for Redundancy) Regulations 1994, the Redundancy Payments (Continuity of Employment in Local Government) Modification Order 1999 and the Teachers' Compensation Regulations 1997. The decision to award a discretionary payment as opposed to the statutory redundancy payment will be taken by the Governors' Executive Committee.

No negotiations will be entered into with any individual employee concerning any form of individual arrangement for severance pay.

2. Premature Retirements and/or Voluntary Redundancies

Governors will offer the most favourable compensation to members of staff made redundant that the financial situation pertaining at the time allows. They must, however, act within the law and observe any constraints imposed by the funding bodies. Moreover, they cannot place the future of the University at risk by committing it to financial undertakings that might not be easily serviced when resources are under strain. On behalf of the Governors and the Senior Management Group, the management negotiating team will negotiate with the recognised trade unions, via the JCG Sub-Group, a Severance Pay Agreement that will specify the financial compensation to be offered to members of staff who volunteer for or who are declared redundant.