

Redundancy Selection Policy

February 2017

Refreshed December 2021

Approving authority:	UE
Consultation via:	PSLB, CJNCC
Approval date:	February 2017
Effective date:	February 20217
Review period:	Five years from date of approval
Responsible Executive:	Global Director of HRD
Responsible Office:	HRD

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HERIOT-WATT UNIVERSITY
(Redundancy Selection Policy)

CONTENT

Section		Page
1	Purpose	3
2	Scope of Policy	3
3	Key Principles	3
4	Consultation	4
5	Records	4
6	Review of Policy	4
7	Redundancy Selection Procedures	4
8	Related policies, procedures and further reference	4
9	Further help and advice	5
10	Policy Version and History	5
ANNEX A	Definition of Redundancy	6
	Statutory Consultation Periods	6

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1.	PURPOSE
	<p>The University aims to ensure, as far as possible, security of employment for its employees. However, it is recognised that, from time to time, there may be changes in the internal and external environments (e.g., in public policy and funding, financial and market conditions), organisational requirements and other internal factors – both planned and unplanned - which affect staffing needs.</p> <p>This Policy is one of a suite of policies on Managing Organisational Change at UK Campuses and should be read in conjunction with the following policies</p> <ul style="list-style-type: none"> • Consultation on the Avoidance of Redundancy • Any live Voluntary Redundancy (VR) Scheme which may be in operation • Redeployment Policy and Procedure • Severance Payment Policy <p>Where it is clear that a particular course of action such as restructure, withdrawal of specific course of study, withdrawal/reduction of funding for specific projects or activities or other change, is likely to require a reduction of specific posts or post types and all other reasonable options to avoid redundancy have been explored this policy and supporting procedures provide a framework for managing potential redundancy situations.</p>
2.	SCOPE OF POLICY
	<p>This Policy and supporting procedures apply to all UK-based University employees and are designed to ensure that the University's approach to redundancy is fair and consistent.</p> <p>Employees not based in the UK will normally have a separate policy and process due to differing local Labour laws. This will be explicit in the appropriate contract terms and conditions.</p> <p>This policy does not form part of employees' contracts and may be amended from time to time.</p>
3.	KEY PRINCIPLES
	<p>The University is committed to managing any potential redundancy situation with care and sensitivity to all staff, in line with the Spirit of Heriot-Watt Values and in accordance with the principles set out in the University's Equality and Diversity Policy.</p> <p>Where a redundancy situation arises, the University, in consultation with the recognised Trade Unions, and by seeking to implement the measures contained in the policy on Consultation on Avoidance of Redundancy, will seek to ensure that:</p> <ul style="list-style-type: none"> • An Equality/Privacy Impact Assessment is conducted as early as possible on collective redundancy proposals and decisions • the number of redundancies is kept to a minimum, wherever reasonably possible. • employees and, where appropriate, their representatives are fully consulted on any proposals and their implementation. • selection for redundancy is based on objective, appropriate and clear criteria which are applied fairly and consistently;

	<ul style="list-style-type: none"> • every reasonable effort is made to redeploy or find alternative work for employees provisionally selected for redundancy; and • reasonable support and advice is offered to employees selected for redundancy to help them find suitable work when their employment has come to an end <p>In order to minimise the need for compulsory redundancies, the University may request expressions of interest in voluntary redundancy and consider requests from employees for voluntary redundancy if such a scheme exists. The financial terms of any voluntary redundancy arrangements and the pool from which we may wish to seek volunteers (for example, university-wide or in targeted areas) will depend on the circumstances at the time. Approval for voluntary redundancy departures and payment is at the sole discretion of the University.</p> <p>The application of this Policy and its supporting procedures recognise the right of Academic Freedom as set out in the Statutes and Ordinances.</p>
4.	CONSULTATION
	<p>Consultation will take place at collective and individual levels as detailed in the University's Consultation on Avoidance of Redundancy Policy, and in accordance with the relevant legal provisions.</p> <p>(Annex A to this policy provides the legal definition of redundancy, together with a note of the statutory consultation periods).</p>
5.	RECORDS
	<p>All records and information obtained in relation to an individual's voluntary application or selection for redundancy must be passed to the Human Resources Department. These records will be kept confidential, monitored under equality legislation and retained for a limited period in accordance with the Data Protection Act 2018, the University's Records Retention Policy and in line with the University's Staff Privacy Notice</p> <p>A summary of volunteers and outcomes, matrices, criteria and scores is maintained and general statistics reported for equal opportunity monitoring and FOI purposes. Such summaries are kept securely and confidentially with personal data removed in accordance with the Data Protection Act 2018 and the University's Records Retention Policy.</p>
6.	REVIEW OF POLICY
	<p>This Policy and related Procedure will be reviewed 5 years from the date of implementation and earlier if legislation dictates. Any proposed amendments will be subject to consultation in accordance with relevant University Statutes and Ordinances. Such amendments will be notified to employees through the normal communication channels and/or e- mail. The Policy and Procedure will be maintained on the Human Resources Website.</p>
7.	REDUNDANCY SELECTION PROCEDURES
	<p>Visit the HR Policies Section https://www.hw.ac.uk/services/human-resources/human-resources-policies.htm under Change Management.</p>

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8.	RELATED POLICIES, PROCEDURES AND FURTHER REFERENCE			
	<ul style="list-style-type: none"> • Consultation on the Avoidance of Redundancy Policy • Management of Organisational Change Overarching Policy • Redeployment Policy and Procedure • Severance Payments Policy • Voluntary Redundancy Policy and Procedures 			
9.	FURTHER HELP AND ADVICE			
	Please contact HR helpdesk for queries regarding this Policy and linked Procedures			
10.	POLICY VERSION AND HISTORY			
	Version No	Date of Approval	Approving Authority	Brief Description of Amendment
	V.1	Feb 2017 refreshed Dec 21	UE (2017)	Refreshed to update links and references

POLICY



ANNEX A

1. DEFINITION OF REDUNDANCY

Redundancy occurs where

- the employer has ceased, or intends to cease, to carry on the business for the purpose of which the employee was employed; or
- the employer has ceased, or intends to cease, to carry on the business in the place where the employee was so employed; or
- the requirements of the business for employees to carry out work of a particular kind have ceased or diminished or are expected to cease or diminish; or
- the requirements of the business for employees to carry out work of a particular kind, in the place where they were so employed, have ceased or diminished or are expected to cease or diminish.

There is not a redundancy if the original job remains. For example, where an individual has been employed on a fixed term basis to cover the work of an existing employee (e.g., for long-term sickness, secondment, maternity leave), the fixed term employee is therefore not redundant at the end of his/her contract.

2. STATUTORY CONSULTATION PERIODS

The University will always comply with the minimum legal requirement. This means that the minimum period of consultation depends on the number of potential redundancies at a single location being proposed as follows:

- 20-99 redundancies: consultation must begin at least 30 days before the first dismissal takes effect
- 100 or more redundancies: consultation must begin at least 45 days before the first dismissal takes effect

In addition, the University will comply with notifying the Insolvency Service (part of the Department for Business and Industry) of proposed redundancies of more than 20 in a 30-day period, using the HR1 form and in line with the Trade Union and Labour Relations (Consolidation) Act 1992 Part IV Chapter II