



# Manager Guidance: Redundancy Procedure

## 1. Introduction

- 1.1 The University is committed to protecting the employment security of its employees by appropriate planning and will wherever possible seek to minimise redundancies as part of workforce planning. Where redundancies are proposed, every reasonable effort will be made to avoid making employees redundant.
- 1.2 Redundancy is a difficult process for everyone involved. It is important that managers follow legal and University procedures carefully and in a timely manner, communicate with transparency, and consider the wellbeing of employees involved throughout the process. The purpose of this guidance is to support managers to follow the correct process, to minimise redundancies, and to ensure any selection for redundancy is fair within the law. The HR team will provide support to managers and employees concerning the redundancy process and will advise managers on individual cases.
- 1.3 This guidance is supplementary to the University's [Redundancy Procedure](#).

## 2. Legal requirements

- 2.1 In summary, the Employment Rights Act 1996 establishes that redundancy is a fair reason for dismissal providing a fair process has been followed. This includes the following:
  - i. An employer must have a genuine business reason for dismissal (business closure, workplace closure, or a reduced requirement for work of a particular kind);
  - ii. A fair procedure must be followed (identifying a reasonable selection pool, holding a consultation period, exploring suitable alternative roles, offering a right of appeal);
  - iii. There is a fair selection criteria in cases where multiple employees are at risk of being made redundant (for example, skills, performance, experience or attendance based);
  - iv. The required notice period is given and redundancy payment made, where eligible.

## 3. Avoiding redundancies

- 3.1 It is important to remember that one of the purposes of the Redundancy Procedure is to avoid or minimise redundancies wherever possible. The University will explore all options to avoid redundancies where practicable, which may include restrictions on recruitment, reviewing the use of any temporary staff within the immediate area or ceasing or reducing overtime.
- 3.2 Throughout the process, suggestions may be made about ways to avoid a redundancy situation, which will be considered by the Faculty/Division and discussed with the employee.

Managers are expected to explore suitable alternative employment throughout the process. Any opportunities identified or put forwards should not adversely impact the University's operational needs.

- 3.3 If at any point throughout the process suitable alternative employment is found for an employee, the process will end, and the employee will be notified that redundancy has been avoided.

## 4. Manager's responsibilities

- 4.1 Managers are responsible for:

- Effective workforce planning which includes identifying where there may be potential redundancy situations and exploring ways to avoid this.
- Where a redundancy situation is identified, acting in a timely manner and following a fair process as outlined within the University's Redundancy Procedure and by following this guidance.
- Considering any proposals put forwards by an employee throughout the process to avoid a redundancy.
- Supporting employees to secure alternative employment with the University.
- Seeking guidance from HR to ensure compliance with legal requirements and University procedures.

- 4.2 **Note:** The Redundancy Procedure and this guidance use the general term 'manager'. The person responsible for following this process will be the reporting manager or Principal Investigator (PI) of the position/s identified as being at risk of redundancy who has line management responsibilities. It is the responsibility of the Pro-Vice-Chancellor/Director of Professional Service Division to ensure that employees with management responsibilities are aware of their role in relation to the Redundancy Procedure.

## 5. Scope

- 5.1 The Redundancy Procedure should be followed where it has been identified that the requirement for work of a particular kind will cease or diminish and there is risk of redundancy of:
- Fixed term contracts, where the reason for ending the fixed term is by reason of redundancy and the employee will have more than 21 months continuous service at the contract end date.
  - Fixed term contracts that could end earlier than the expected contract end date due to a redundancy situation.
  - Permanent contracts (including those that are linked to external funding sources) and the requirement for the work is ending or reducing.
- 5.2 Where a fixed term contract is ending at the expected end date and the length of continuous service will be less than 21 months at the expected contract end date, **or**, where a fixed term contract is ending due to a non-redundancy reason (for example, cover arrangements or a training programme), managers should follow the process for [non-renewal of a fixed term contract](#).

- 5.3 Where potential redundancies arise from organisational change or as part of a restructure, managers should refer to the University's [Redundancy and Restructure Framework](#) and seek further guidance from their HR Partner.
- 5.4 To be eligible for a redundancy payment, an employee should have 2 or more years' service at the date of dismissal.

## 6. Terminology

<b>Redundancy</b>	The statutory definition of redundancy (Employment Rights Act 1996) states that an employee's dismissal must be wholly or mainly attributable to either: <ul style="list-style-type: none"> <li>• Business closure (closure of business altogether)</li> <li>• Workplace closure (one of several sites, or relocation to new site)</li> <li>• Reduction of work of a particular kind</li> </ul>
<b>Continuous Service</b>	Continuous service is the period of time an employee has worked for the University without a break. The length of this period determines an employee's eligibility for certain rights and benefits, such as statutory redundancy pay.
<b>Redundancy Business Case</b>	The document which outlines the rationale for initiating the redundancy procedure, the scope and the proposed timescales (also known as redundancy plan). Once approved by the University, this document forms the basis for discussion and feedback during consultation.
<b>"At risk"</b>	The roles that are at risk of being made redundant. An employee is officially placed at risk of redundancy at the very beginning of the formal redundancy process, when the University first notifies them in writing that their role is under consideration for redundancy.
<b>Pool of one</b>	When only one employee is identified at risk of redundancy where a specific, often unique, role is ceasing.
<b>Redundancy Pool</b>	The group of employees from which those who are to be made redundant will be selected.
<b>Collective consultation</b>	Collective consultation is required between the University and Trade Union representatives where 20 or more redundancies are proposed within a 90-day period. This is required to take place prior to individual consultation.
<b>Individual consultation</b>	A formal process of talking and listening to affected employees to explain the reasons for a redundancy proposal, hear their feedback, explore any alternatives to redundancy together and address any concerns before a final decision is made.
<b>Consultation period</b>	The timeframe during which consultation takes place.
<b>Selection criteria</b>	In cases where there is a redundancy pool, this is the selection criteria (for example, skills, performance, experience or attendance based) the University will use to determine which employee/s within the pool are selected for redundancy.
<b>Redeployee</b>	A redeployee is someone who has been given notice of redundancy and, provided they meet the qualifying criteria, is being supported to find a new role within the University.

# The redundancy process

## 7. Overview

- 7.1 Managers should not delay commencing the redundancy process where it has been identified there is a potential redundancy situation. Delays in managers initiating this process may result in extensions in order to meet contractual notice and additional costs to the Faculty/Service.
- 7.2 The [overview of the redundancy process](#) (see Appendix 1) summarises the stages required and recommended timescales to complete this process.
- 7.3 Template letters should be used at each stage in the process and will be provided by your HR Advisor.

## 8. Step 1: Identifying potential redundancies

- 8.1 Where a potential redundancy situation has been identified, the first step is for the manager to complete a request to initiate the redundancy procedure to commence the process. This is the initial information gathering stage to outline the situation and to consider ways to avoid a potential redundancy situation.

Form available here: [Request to initiate the Redundancy Procedure](#)

- 8.2 Following completion, this will be sent to the HR Advisor team who will provide support thereon, including support with forming a redundancy business case (redundancy plan).

### Email notifications

- 8.3 To assist with identifying potential redundancy situations, **managers** will receive an automated notification via email 6 months prior to an expected fixed term contract end date or recorded funding expiry date for employees working in a research position funded by an external source. **Note:** this is the recommended point in which action should be taken to meet timescales. Consideration should be given to where additional time may be needed and should be factored into the process, for example any University closure periods.
- 8.4 **Employees** will receive an automated email 4 months prior to their expected fixed term contract end date or external funding expiration date for roles that are funded by external sources. This will signpost to further information on the process, what to expect from the process, and the ways in which the University will provide support. This is for information purposes only and is **not** written notice of dismissal.

## 9. Step 2: Forming a redundancy business case

- 9.1 The information provided by the manager within the request to initiate the redundancy procedure will be used to form the redundancy business case. Managers are required to produce a completed business case to the University which will provide the rationale for initiating the redundancy procedure, the scope and the proposed timescales.

## 9.2 The redundancy business case sets out:

- the reason for the requirement for a reduction in employee numbers;
- steps taken to try and avoid compulsory redundancies, including any alternative employment opportunities;
- the number of redundancies proposed, including job titles and grades of employees whose positions may no longer be required;
- the number of comparable employees of any such description employed within the area concerned;
- the proposed redundancy pool and rationale for this (see step 3);
- the proposed criteria for selection;
- the timescale over which the reduction in employee numbers will take place.

## 10. Step 3: Identifying the redundancy selection pool

10.1 To ensure a fair reason for dismissal, where a potential redundancy has been identified an important part is to identify the pool of employees from which the candidates for redundancy will be selected.

10.2 Identification of a pool is a matter of judgement. When deciding if the correct pool for redundancy selection has been determined, managers are required to demonstrate they have followed a reasonable thought process and arrived at a reasonable business decision. The rationale for any pool will be included as part of the redundancy business case and will be shared with those affected during consultation. This may be challenged during consultation and/or through a formal appeal, so it is important to document clear justification within the business case as to how the pool has been properly and fairly identified.

10.3 To determine if there is a redundancy pool, managers will need to investigate whether there are any roles deemed comparable to the role/s affected by a potential redundancy. A comparable role is a position that is either the same or broadly similar to the position that is ceasing or diminishing, considering both fixed term and permanent positions.

10.4 Managers will need to demonstrate consideration of:

- Same posts: any other employees within the immediate team who are carrying out the same role.
- Similar day-to-day duties: any other employees within the team/department who hold similar positions at the same grade and are undertaking work similar to that of the affected employee.
- Interchangeable skills: roles at the same grade that require comparable skills, experience, and expertise within the team that the affected employee could easily carry out or do so with reasonable training.

10.5 As part of this assessment, consideration of the day-to-day tasks/duties that are conducted as well as the job descriptions of the group of employees should be made.

- 10.6 If after investigating it is concluded there is only one employee in the position impacted and the work is unique, the selection pool will consist of just one person. This is referred to as a pool of one.
- 10.7 Due to the size of the University, it is normal practice that redundancy pools are limited within a Faculty Department or Professional Services Division. A redundancy pool would not normally include employees at different grades or in different research areas or employees who are 'named' on a grant.

### Permanent employees whose roles are subject to research funding

- 10.8 Due to the nature of university funding, and in particular research funding, redundancy due to the expiry of external funding where the requirement for work is due to cease or diminish is difficult to avoid. The large number of posts within the University which are dependent on external research funding makes it necessary for the University to apply a reasonable process for termination where this becomes necessary. In such cases it is important that the manager carefully considers whether there is a redundancy pool or a single employee at risk of redundancy (pool of one).
- 10.9 Normally, other than in exceptional circumstances, where a redundancy situation arises due to a research position ending and this position is externally funded, the selection of employees to be considered at risk of redundancy will be determined by their holding of a comparable post on the same externally funded research project. For example, if there is only one role carrying out work of this kind (such as research) on a funded project, there will be a pool of one. If there are several comparable roles undertaking the same or broadly similar work on this project, all should be included in the pool. Generally, this will apply to positions in the Research job family, but it may also apply to other positions which are externally funded. Managers should discuss this with their HR Advisor/Partner.

## 11. Step 4: Selection criteria (where a redundancy pool exists)

- 11.1 Where a redundancy pool has been identified, managers will need to decide on the selection process and on any selection criteria which will support decision making. The selection criteria to select employees who will potentially be made redundant should be transparent and fair and will be non-discriminatory (for example, not basing decisions around those on a fixed term contract or who work part-time). Managers should agree proposed selection criteria or processes with the HR Advisor supporting the case.
- 11.2 The selection criteria will consist of a range of factors and may include:
- skills and qualifications;
  - specialist knowledge/experience;
  - standard of work performance;
  - attendance (absence related to a disability or underlying health condition will not be considered);
  - disciplinary record.

- 11.3 The selection process may include interviews, testing or other forms of assessment with relevant employees where needed to support fair decision making. Where this applies, standard recruitment practices will be followed.
- 11.4 Managers will also need to determine who will conduct the selection process. This should be relevant managers within the Faculty/Division who have a working knowledge of the employees at risk and understand the requirements/expectations of the role and will therefore be able to apply the criteria reasonably.

### Employees with enhanced protections from redundancy

- 11.5 In line with the Protection from Redundancy (Pregnancy and Family Leave) Act 2023, employees who are currently on maternity, paternity, adoption, shared, or neonatal parental leave and for a period following their return, or pregnant employees (who have informed the University of the fact of their pregnancy) have enhanced protections from redundancy in cases where a redundancy pool exists. In such cases, an employer must offer a suitable alternative vacancy as a priority, if there is one. Managers should discuss this with their HR Advisor/Partner where this applies.

## 12. Step 5: Approval of the redundancy business case

- 12.1 Once the redundancy business case has been completed, this will require review and approval by the University to ensure the proposal is necessary, reasonable, and that all options to avoid a redundancy situation have been considered.
- 12.2 Redundancy business cases require approval by the Faculty Deputy Pro-Vice-Chancellor (as formal designate of the Pro-Vice-Chancellor) or Divisional Director for roles in Professional Services, and the Assistant Director of HR (as formal designate of the HR Divisional Director).
- 12.3 For roles in the Research Only job family where a pool of one has been identified, approval is required by the Faculty Deputy Pro-Vice-Chancellor (as formal designate of the Pro-Vice-Chancellor) and the Senior HR Partner for the Faculty (as formal designate of the HR Divisional Director).
- 12.4 This stage of the process will also consider whether the University is required to carry out collective consultation with representatives of recognised Trade Unions (where the University is proposing to make twenty or more employees redundant within a ninety-day period, excluding fixed term contracts that are due to end on their expected contract end date) prior to commencing individual consultation. Managers will be notified by HR if cases are affected by this and any additional steps that are required in addition and prior to commencing the consultation period outlined below.
- 12.5 **Note:** It is important that managers do not proceed any further in the process until they have been informed by their HR Advisor/Partner that the business case has been fully approved.

## 13. Step 6: Place employee/s at risk

- 13.1 Once approval to initiate the Redundancy Procedure has been given, the employee or employees occupying a post at risk of redundancy should be advised in writing by the manager

as soon as possible that their position is at risk of redundancy and to be invited to commence consultation to discuss this. The invite letter (template letter provided) should be sent at least one week prior to the first consultation meeting, unless a shorter period is agreed by the manager and employee. At this point the employee is officially placed at risk of redundancy.

- 13.2 The University requires an individual consultation meeting to take place with any employee who is placed at risk of redundancy, with a second individual consultation meeting required for any employee who has been selected for redundancy (see step 7 below). These meetings should take place between the manager and the employee. Employees may be accompanied by a trade union representative or workplace colleague at these meetings. A member of HR may be present if requested by the manager or employee or to support the process in cases where there is a redundancy pool.
- 13.3 The procedure allows an employee to make a reasonable request for a meeting to be postponed for up to one week for any reason. Only one postponement will be permitted, and the employee should be advised that if they do not attend on the rearranged date, the University reserves the right to proceed with the meeting in the employee's absence. In such cases, managers should seek guidance from the HR Advisor supporting the case before proceeding.

#### Reasonable adjustments

- 13.4 Where an employee has a disability, the University will support with reasonable adjustments to the procedure where beneficial to help remove or reduce barriers and ensure a fair procedure. For example, allowing an employee to be accompanied at any meetings by an alternative companion such as a friend/family member or adjusting the location or timings of the meeting. Employees should notify their manager or HR in good time if they would benefit from specific adjustments.

#### Opting out of consultation

- 13.5 An employee may opt out of the redundancy consultation process if they wish. Doing so would mean they are volunteering to be selected for redundancy. This must be an employee led decision and this should be confirmed in writing from the employee to the manager and HR. If after considering the needs of the University this request is accepted by the Faculty/Service, the employee will be selected for redundancy and the consultation process will end, unless there is more than one role at risk of redundancy. If the employee later decides to request consultation, this will be arranged.
- 13.6 Opting out of the redundancy process will not affect any entitlement for redundancy payment where eligible. The employee will still receive the same support from the University during their notice period to find suitable alternative employment to avoid a redundancy situation.

## 14. Step 7(a): Hold individual consultation - where a redundancy pool does not exist (pool of one)

- 14.1 The purpose of individual consultation is for the University to meaningfully discuss proposed redundancies with affected employees, provide the justification for this, and together explore

any possible ways of avoiding a redundancy situation. It is a two-way dialogue, and managers should listen to any suggestions the employee may have, allow the opportunity for them to ask questions about their provisional selection for redundancy, make representations and propose alternatives to dismissal.

14.2 Consultation meetings will take place with the employee placed at risk and should cover the following areas:

- The reason for the proposed redundancy.
- Steps taken to avoid or minimise redundancy.
- The number of redundancies proposed.
- The determined redundancy pool and rationale for this.
- The timescale over which the redundancy will take place.
- What consideration has been given to the possibility of alternative employment and confirmation that alternative employment opportunities will continue to be sought throughout the consultation process as well as throughout any notice period.
- Any feedback or suggestions the employee may have to explore potential alternatives to redundancy and address any concerns they may have.
- The employee will be made aware that if no suitable alternative opportunities are identified or if there are no changes to the proposal put forwards, the employee will be informed that they have been selected for redundancy and will be dismissed on grounds of redundancy, providing no alternative options become available during the notice period.

14.3 Following the first consultation meeting, the manager should provide the employee with a summary of the discussions that took place via email. The employee should also be provided with a copy of the redundancy business case. Managers should raise and explore any proposals that may avoid a redundancy situation discussed within the meeting with their Faculty/Division and HR.

14.4 A second individual consultation meeting will be arranged to take place at minimum one week after the first meeting. At this meeting the employee will be given the opportunity to submit any further representations which have occurred to them since the first meeting. The manager should also feedback on the progress or outcome of any proposals put forward during the first meeting.

14.5 During the second meeting the manager should make a judgement as to whether further meetings are required to complete consultation. If during the second meeting there are no further suggestions put forwards by the employee that require further investigation, the manager should notify the employee that the consultation period has concluded, and they have been selected for redundancy. This decision will be confirmed in writing via issuing notice of redundancy (this will be sent by HR).

## 15. Step 7(b): Hold individual consultation – where a redundancy pool exists

- 15.1 The purpose of individual consultation is for the University to meaningfully discuss proposed redundancies with affected employees, provide the justification for this, and together explore any possible ways of avoiding a redundancy situation. It is a two-way dialogue, and managers should listen to any suggestions the employee may have, allow the opportunity for them to ask questions about their potential selection for redundancy, make representations and propose alternatives to dismissal.
- 15.2 Consultation meetings will take place with the employees placed at risk. In cases involving a number of employees, consultation may initially take place on a group basis, and this may constitute the first stage of consultation, providing the group of employees are affected in the same way. The consultation will cover the following areas:
- The reason for the proposed redundancies.
  - Steps taken to avoid or minimise redundancy.
  - The number of redundancies proposed.
  - The determined redundancy pool and rationale for this.
  - The selection criteria and/or process that will be used to determine which employee/s will provisionally be selected for redundancy.
  - Who will assess the employees within the pool against the selection criteria and/or process.
  - The timescale over which the redundancy will take place.
  - What consideration has been given to the possibility of alternative employment and confirmation that alternative employment opportunities will continue to be sought throughout the consultation process as well as throughout any notice period for those selected for redundancy.
  - Any feedback or suggestions the employee/s may have to explore potential alternatives to redundancy and address any concerns they may have.
- 15.3 Following the first consultation, the manager should provide each employee with a summary of the discussions that took place via email. Employees should also be provided with a copy of the redundancy business case. Managers should raise and explore any proposals that may avoid a redundancy situation discussed within the meeting with their Faculty/Division and HR.
- 15.4 At this stage the agreed selection process or assessment will usually be carried out. During this time the managers involved in conducting the process shall decide who has been provisionally selected for redundancy.
- 15.5 Following this, a second individual consultation meeting will be arranged with the employee or employees who has/have been provisionally selected for redundancy. The purpose of this meeting is for the manager to notify them of their decision and explain why they have been provisionally selected for redundancy, including any feedback on the selection process and the employee's scoring matrix elements. The employee will be given the opportunity to ask any further questions or submit any further representations to avoid redundancy.

- 15.6 During the second meeting the manager should make a judgement as to whether further meetings are required to complete consultation. If there are no further suggestions put forwards by the employee that require further investigation, the manager should notify the employee that the consultation period has concluded and confirm that they have been selected for redundancy. This decision will be confirmed in writing via issuing notice of redundancy (this will be sent by HR).
- 15.7 Employees who have not been selected for redundancy will be notified in writing (template letter provided). It is important for managers to make employees aware that this is the provisional outcome of consultation; the position could change if an appeal is received by the employee who has been selected. Managers will therefore need to continue communicating accordingly with any employees who are involved in the process.

## 16. Step 8: Issue formal notice of redundancy

- 16.1 Managers should notify the HR Advisor supporting the case as soon as the consultation period has concluded and where an employee has been informed of their selection for redundancy.
- 16.2 HR will issue notice of dismissal due to redundancy to the employee. This will contain an estimate of any redundancy payment where eligible and notification of their right to appeal. HR will also register eligible employees for redeployment from this date.
- 16.3 For reasons of fairness the University will aim to provide 3 months' notice for all employees. As a minimum, this will be the notice period to which they are contractually entitled.
- 16.4 The University will do all that is reasonably practicable to continue to explore suitable alternative employment and/or redeploy employees through the notice period. If suitable alternative employment has not been found or if the employee has not been successful in applications made through the redeployment process by the end of their notice period, their contract will be terminated.
- 16.5 Where continued employment has been unsuccessful, managers will need to ensure that appropriate [leaving arrangements](#) are followed. Employees will be expected to take any outstanding annual leave (pro rata entitlement until their final date of employment) prior to their leaving date. If this is not operationally possible managers will need to inform HR of this, in which case any untaken annual leave owed will be paid with their final salary.

### Early release of employees under notice of redundancy

- 16.6 Employees who have been provided with notice of dismissal due to redundancy and have been successful in obtaining employment with a different employer may ask to leave the University early. The University will not unreasonably refuse any requests made and will aim to reach a mutually agreed date. If agreed, this date will become the revised date of redundancy for the purposes of calculating any entitlement to a redundancy payment and for establishing the employee's effective date of termination. In such cases there will be no entitlement to payment for the remainder of the original notice period.

# Support for employees

## 17. Suitable alternative employment & redeployment

### Suitable alternative employment

- 17.1 The University will offer any suitable alternative employment that becomes available to employees who have either been placed at risk or have been issued formal notice of redundancy. Suitable alternative employment is where a comparable position becomes identified at the same grade, with comparable terms and conditions of employment (for example, hours per week and/or location) and which a candidate at risk of redundancy can either carry out based on their existing skills, knowledge and experience or could do so with reasonable training. A comparable role is usually defined as being at least 70% comparable an employee's existing post.
- 17.2 Suitable alternative employment can be offered at any stage once an employee has been placed at risk of redundancy and without the need for a competitive process, unless there are multiple employees placed at risk who are deemed suitable for the post. If suitable alternative employment is identified, managers should inform the HR Advisor supporting the case in the first instance for this to be explored.
- 17.3 In line with the Protection from Redundancy (Pregnancy and Family Leave) Act 2023, employees who are currently on maternity, paternity, adoption, shared, or neonatal parental leave and for a period following their return, or pregnant employees (who have informed the University of the fact of their pregnancy) have an enhanced right to any suitable alternative employment that exists, ahead of any other employee including those also at risk of redundancy. If an employee who is placed at risk will be or is currently on a period of leave as outlined above when they accept a suitable alternative position, the position must be kept open until they return to work.
- 17.4 If an employee refuses an offer of suitable alternative work and the University views the reason for refusal as unreasonable, the right to redundancy payment will be forfeited.

### Redeployment support

- 17.5 As an additional measure to support employees and avoid redundancy, employees who have been provided with written notice of redundancy and will have 2 or more years continuous service at their final date of employment will become a redeployee until their notice period expires and their employment is terminated. Once registered as a redeployee, employees will be supported with priority status (preferential consideration) for vacancies that arise across the University at the same grade or one grade lower for which they submit a formal application.
- 17.6 Recruiting managers must interview employees at risk of redundancy providing they meet the essential criteria or could do so with reasonable training. This should happen before any other (non-redeployment) candidates are invited for interview. If the interview confirms that the candidate meets all the essential criteria for the post or could do so with reasonable training

(or best meets if there is more than one at risk employee being considered) they should be offered the position on a trial basis.

- 17.7 Redeployees may apply for posts that are advertised at a higher grade but will not have any priority status for any applications made.
- 17.8 During the period of redeployment support managers should continue to support employees to find suitable alternative work, for example by signposting to vacancies that may be suited or of interest.

### Trial periods

- 17.9 So that informed decisions about the suitability of alternative work can be made, redeployees will be offered a trial period for any vacancy that is offered under the terms of the procedure. If an employee is a redeployee due to being issued formal notice of redundancy then the trial period must include a statutory 4-week trial period. This is referred to as a **formal trial period** and commences immediately after the former role has ceased. In some cases, when it is operationally possible to release employees from their current role, employees may also be able to trial the position before their notice has completed. This is known as an **informal trial period** and is in addition to the statutory formal trial period. The Recruiting Manager will confirm the terms of the trial(s) within the offer letter for the new position.
- 17.10 An extended formal trial period can be agreed with the Recruiting Manager in advance of the trial commencing, but only where reasonable training needs are required for the position or have been identified during the recruitment process. A trial period should not be extended once it has commenced for the purposes of assessing performance.
- 17.11 During a formal trial period, both the employee and line manager will have the opportunity to assess suitability for the position through regular reviews. If, during the trial period, either the employee or line manager decides that the post is not suitable then the employee may return to their substantive post, if the notice period has not expired, or the employment may be terminated at that point by either party. If the employment is terminated and the dismissal is a redundancy then the employee will receive a redundancy payment, unless an offer of suitable alternative employment has been made and this has been declined. Subject to performance, and with the agreement of both parties, if the formal trial period has been successful then the appointment will be confirmed.
- 17.12 Further information on the University's redeployment process and trial periods can be found via the following pages:

- [Redeployment Procedure](#)
- [Redeployment: Employee Guidance](#)
- [Redeployment: Managers Guidance](#)

## 18. Reasonable time off to seek alternative employment

- 18.1 Employees who have been provided with written notice of redundancy and will have 2 or more years continuous service at their final date of employment are entitled to have reasonable paid

time off during their notice period to seek alternative employment, attend interviews or undertake training.

18.2 Reasonable entitlement for paid time off during a notice period is normally defined as up to 40% of a weeks' pay (for example, two days for an employee who works a five-day week) during the notice period. This is the equivalent of up to two whole days during the notice period. Any additional time off required that can be supported may be taken as unpaid leave.

## 19. Redundancy payments

19.1 The University calculates redundancy compensation in accordance with statutory limits. Guidance on the calculation of statutory redundancy pay is included in [the Government calculator](#). Where eligible, an estimate will be provided by HR within an employee's notice letter and will be confirmed and paid within the employee's final payment.

19.2 A redundancy payment will be made where an employee has been continuously employed by the University for a minimum of 2 years in the following cases:

- Expiry of a fixed term contract where the ending of the fixed term contract is due to a redundancy reason, **or**,
- Ending a permanent contract.

19.3 In cases where an employee has multiple distinct contracts, eligibility for redundancy payment will normally be determined by the post which carries the overall continuous service. For additional contracts, employees must normally have 2 years' service or more in the post at the point the contract comes to an end in order to be eligible for redundancy payment.

19.4 A redundancy payment will not be paid where the reason for ending the fixed term contract was due to a non-redundancy reason, for example cover arrangements, as there is not a reduction in the requirement for work. This is one of the reasons why it is important that the purpose for each fixed term contract is clear and recorded at its commencement. Managers should check with their HR Advisor/Partner in cases of doubt.

19.5 The redundancy payment will be charged to the employing Faculty or Professional Services Division. Research funding does not usually permit redundancy payments to be charged to the grant, but the Faculty should check this point with Research Accounting.

## 20. Appeals process

20.1 This guidance should be read in conjunction with the University's [Redundancy Procedure](#).

20.2 An employee has a right of appeal against a decision made to select them for redundancy if they believe the selection criteria has been unfairly applied to them (under paragraph 5 of the Redundancy Procedure: procedure where a pool exists, or under paragraph 6: procedure where a pool does not exist 'pool of one'). An employee cannot appeal against the decision to institute redundancy procedures.

- 20.3 The right of appeal must be exercised within 14 days of the date of the written outcome. The appeal, stating the grounds on which it is made, must be in writing addressed to the HR Director. The University will aim for an appeal to be heard within 21 days of the appeal being lodged, unless otherwise agreed between the parties.
- 20.4 To effectively defend decisions at an appeal hearing, a detailed and justified redundancy business case (redundancy plan) prepared by the manager at the commencement of the process, along with documenting decisions to evidence the University has followed a fair procedure and process to reach an outcome, are essential.
- 20.5 An appeal will be heard by a panel comprising two senior managers who have had no previous involvement in the case. The purpose of the appeal hearing is to establish if the decision to dismiss by reason of redundancy was appropriate and procedurally correct.
- 20.6 In the event of an appeal, the manager will be required to attend the appeal hearing to provide a summary of the business case for redundancy, explain the process that was followed, and to provide the justification of how the decision was made to select the employee for redundancy. They will also be required to respond to any questions either the appeal panel or the employee (or their trade union representative) may have.
- 20.7 Following an appeal hearing, the appeal panel may:
- i. confirm the decision to dismiss the employee;
  - ii. revoke the decision to dismiss and reinstate the employee; or
  - iii. remit the decision to be considered further in accordance with the selection process (under paragraph 5: procedure where a pool exists, or under paragraph 6: procedure where a pool does not exist 'pool of one'), as the appeal panel shall specify.
- 20.8 The decision of the appeal panel shall be final within the procedures of the University.
- 20.9 An appeal will not delay dismissal on grounds of redundancy, but where an appeal is successful then the employee will be reinstated.

## Appendix 1: Redundancy Process Overview & Schedule

This guide provides managers with an overview of the stages required when following the University's Redundancy Procedure and the recommended **minimum** timescales that should be followed.

This table should be used as a guide for planning consultation meetings in order to meet contractual notice periods. For reasons of fairness, the University aims to provide minimum 3 months' notice in cases of redundancy. As a minimum, this will be the notice period to which the employee is contractually entitled. Managers should also consider occasions where additional time may be needed and factor this into the process. For example, Professors who may have a longer contractual notice period or any University closure periods.

Weeks prior to end date	Communications (HR action)	Process Stage (Manager action)
26	iTrent email notification sent to manager	Investigate whether the requirement for work is or may be ending. Where is it determined that work is or may be ending, Complete the MS form: <a href="#">Request to initiate the Redundancy Procedure</a>
25		
24		∨
23		Work with HR to produce a Redundancy Business Case (redundancy plan) for approval
22	iTrent email reminder sent to manager (where action has not yet been taken)	∨
21		∨
20	<i>Where no action has been taken by the manager, the case will be escalated to the Senior Manager/Head of Department</i>	∨
19	Inform manager once the Redundancy Business Case has been approved and confirm next steps Consultation templates will be provided	∨
18	Email notification sent to employee/s and copy to manager (what to expect)	Place employee/s at risk and written invite to consultation
17		∨
16		Consultation period
15		∨
14		∨
13		Conclude consultation and notify HR
12	Written notice sent to the employee/s	Notice period & redeployment support
11		∨
10		∨
9		∨
8		∨
7		∨
6		∨
5		∨
4		∨
3		∨
2		∨
1		∨
0	<b>End of Contract</b>	