

LONDON SOUTH BANK UNIVERSITY
REDEPLOYMENT AND REDUNDANCY
PROCEDURE – SUPPORT STAFF

Human Resources Department
London South Bank University
April 1996

Updated June 2006

Temporary variations to this procedure have been agreed for specific change proposal exercises taking place in 2010/11. Where these variations apply, relevant amended procedures will be included with the change proposal documentation provided to staff affected.

June 2011

Amended 6 April 2013

Policy Statement

1. The aim of this procedure is to avoid redundancy where possible. However, if redundancies are necessary and cannot be avoided, the procedure shall ensure that staff are treated in a fair and consistent manner.
2. Information on proposed changes in the organisation, or patterns of courses that might lead to redeployment or a reduction in the number of staff employed in the University, shall be provided to recognised staff unions at the earliest opportunity and, as a minimum, in accordance with paragraph 4 below.
3. In the event of disagreement on the need for and the method of selection for redundancy, the numbers of staff involved or the failure to operate the procedure to avoid compulsory redundancy, the unions reserve the right to refer such matters to the Disputes Procedure as detailed in the Recognition Agreement.

Consultation Procedure

4. If redundancies are contemplated, the University will inform the recognised unions at the earliest opportunity. Where the under mentioned numbers of staff are involved, consultation with the trades unions will commence in accordance with TULRCA 1992, s 188(1) as amended by the Collective Redundancies and Transfer of Undertakings (Protection of Employment) (Amendment) Regulations 1999 (SI 1999/1925). ie.:
 - ♦ where one hundred or more redundancies are proposed within a period of ninety days or less , the consultation must begin at least forty five days before the first dismissal takes effect;
 - ♦ where twenty or more redundancies are proposed within ninety days or less, the consultation must begin at least thirty days before the first dismissal takes effect.
5. The appropriate representatives of any affected employees will be provided with written details of the proposed redundancies, and a consultative meeting will be held between the appropriate managers and employee representatives within five working days of the receipt of such details.
6. These consultations shall have the following purposes:
 - a) to explain and discuss the need for, and the nature of, proposed changes or developments and the potential effect on staffing;
 - b) to consider methods for avoiding redundancy;
 - c) to define responsibilities and agreed procedures for endeavouring to resolve problems;
 - d) to establish, where the need for staffing reductions cannot be avoided, the timescale for reductions in staffing and the number of staff involved, with the intention of resolving the problem by natural wastage, controlled recruitment, redeployment and retraining, and voluntary severance.

Redeployment Procedures

7. If redundancies cannot be avoided, the following procedures will be adopted.

- a) Wherever possible, staff vacancies will be filled from among those staff whose posts are to be made redundant. Appropriate retraining will be provided where it facilitates redeployment into an alternative post within the University.
- b) If a member of staff wishes to be redeployed, the redeployment procedures detailed below shall continue to operate up to the effective date of dismissal due to redundancy.

Redeployment into a Suitable Alternative Position

8. A member of staff whose post is to be made redundant, and who wishes to be considered for redeployment, will receive from the Human Resources Department the details of all vacancies at their existing grade.
9. As far as possible, such information will be made available to the member of staff and the following procedure will be completed before it is advertised either within the organisation or externally. The member of staff will be given five working days to decide whether or not they wish to apply for the post. This timescale may be varied by mutual agreement in order to take into account any personal extenuating circumstances.
10. The member of staff will be required to submit an application indicating their suitability in respect of the specified selection criteria. If the member of staff informs the Human Resources Department within the time period stated, she or he will be granted a priority interview.
11. Interviews will be held under the interview arrangements detailed in the University's recruitment, selection and appointment procedure. The individual has the right to request the presence of a union representative as an observer on the panel who will remain present throughout the decision-making process. The decision as to whether to offer a post to a candidate who wishes to be redeployed shall be made in respect of the selection criteria for the post and where it can reasonably be expected that the individual can be retrained to meet the criteria, then this should be taken into account.
12. Staff redeployed into substantive posts as detailed above will be given a trial period in the new role. The statutory trial period is 4 weeks. However, the University will usually allow the duration of the trial period to be extended to twelve weeks, but this may be varied as necessary. During the trial period the performance of the staff member will be monitored by the appropriate line manager against the main responsibilities and selection criteria for the post. Regular review meetings (a minimum of two during a twelve week trial period) will be held with the staff member concerned. The Human Resources Department will be informed of progress after each review meeting. If required, reasonable training and development opportunities will be provided to assist the member of staff in achieving the required standards of the new role. If at the end of the trial period the member of staff or the line manager do not consider the post suitable, then the redundancy situation will stand and appropriate notice from the end of the trial period will be given to the member of staff.
13. If an interview panel decides not to recommend for appointment a member of staff who wishes to be redeployed, the chair of the interview panel shall provide a written statement of that decision to the Head of Human Resources, who in turn will inform the member of staff of the reasons.

14. The University will endeavour to redeploy staff into substantive posts at their existing grades and terms and conditions. Where a member of staff is redeployed on this basis, she or he shall receive the terms, conditions and salary applicable to the post into which she or he has been redeployed. Staff will retain their incremental date where they are not already on the maximum of the payscale for the grade.

Appointment to other Posts

15. Where staff of their own volition wish to apply for posts which are graded higher or lower than their substantive grade and/or salary level, or substantively vary their existing terms and conditions, (ie. full/part time; permanent/temporary), then standard recruitment and interview procedures will apply. When staff are appointed to such posts, they will receive the salary and conditions of service applicable to the new posts as appropriate.

Voluntary Severance/Redundancy

16. Where it is agreed that use may be made of voluntary severance/ redundancy applications will be sought from staff in comparable grades willing to be considered. The University will endeavour to give as much notice as possible of voluntary severance/redundancy arrangements ensuring that the minimum contractual (or statutory, if greater) notice periods are met. Under such arrangements any entitlements to pension or gratuity payments will be determined in accordance with the rules of the relevant pension scheme. Where the University has discretion in relation to such payments, such discretion will be exercised in accordance with the financial provision available within the overall budget of the University at the time.

Notice of Compulsory Redundancy and Appeal

17. Staff whose posts are to be made compulsorily redundancy will be given notice of redundancy and informed that the University will endeavour to redeploy them if they so wish.
18. Such formal notification of redundancy will be given as early as possible. The minimum written notice period shall be the period of notice to which the member of staff is contractually entitled, or the statutory minimum period, whichever is the greater.
19. Each member of staff who is at risk of redundancy will be given a written statement setting out the proposed grounds for his/her selection for redundancy and will be invited to attend a meeting with his/her Executive Dean or Head of Department. This meeting may be delegated to a Pro Dean or Deputy Head of Department or other relevant senior manager of the Faculty or Department not previously involved.
20. The member of staff will be entitled to be accompanied by a colleague or trade union representative at the meeting. A member of the Human Resources Department will also attend the meeting. After the meeting, the University will notify the member of staff of their decision in writing and, if redundancy is confirmed, of details of any redundancy payments and their right of appeal.
21. The member of staff will be entitled to appeal against her or his selection for redundancy to the Vice Chancellor. The Vice Chancellor may delegate this stage to a Pro Vice Chancellor. A senior member of the Human Resources Department will

attend the appeal meeting and the member of staff has the right to be accompanied by a work colleague or trade union representative.

22. At the appeal meeting, the Vice Chancellor (or his/her delegate) will consider all of the evidence, will consider the grounds of appeal and will ask the member of staff to explain their grounds for appeal. The person chairing the meeting will write to the member of staff within ten working days of the meeting, to confirm their decision. This decision will be final.

Compulsory Redundancy Pay and Associated Payments

23. A member of staff who is dismissed due to redundancy shall receive a redundancy payment calculated in accordance with the statutory provisions.
24. In accordance with the provisions of the appropriate pension scheme, she or he may be entitled to the immediate payment of pension benefits or a gratuity.
25. She or he shall be entitled to payment in lieu of any outstanding annual leave entitlement, which shall be calculated pro rata to the effective date of dismissal due to redundancy.

Signatories:

For and on behalf of:

UNISON:

Signed

Date

GMB:

Signed

Date

For and on behalf of:

London South Bank University:

Signed

Date

Signed

Date