



## **INTRODUCTION**

St Catherine's College is committed to providing as secure an employment environment as possible for all its non-academic members of staff through effective business and manpower planning. This commitment not only looks to the individual interests of staff, but is also intended to aid the creation of an environment which will encourage creative scholarship and teaching, and which will foster the continued provision of high-quality administrative and domestic support.

However, we also have to ensure the continued viability of the College, and a reduction or change in staffing may sometimes therefore become necessary as result of (for example) changes in external funding, technology, organisational requirements or student demand. The College will make every reasonable effort to achieve such reductions without recourse to the dismissal of staff, and staff redundancies will only be used as a last resort.

This policy sets out the framework in which redundancies will be considered to ensure that a fair and objective procedure is adopted. Neither this policy nor anything contained within it is intended to have contractual effect, and it should be regarded as providing guidelines only.

## **DEFINITIONS**

Redundancy is defined in the *Employment Rights Act (1996)*. The definition, as it applies to the College, provides that an employee who is dismissed shall be taken to be dismissed by reason of redundancy if the dismissal is wholly or mainly attributable to:-

(a) the fact that the College has ceased or intends to cease to carry on the activity for the purposes of which the staff member was employed by the College; or

(b) the fact that the requirements of that activity for staff members to carry out work of a particular kind have ceased or diminished, or are expected to cease or diminish.

The statutory definition also makes provision for employers who have more than one place of business, but this does not apply to St Catherine's College as the different College sites are not considered to be separate places of business.

This policy does not cover workers engaged on a self-employed or casual basis, or as freelancers, through an agency, or fixed-term employees whose contracts are for less than 3 months in duration; however, all other full- and part-time employees (including those on fixed-term contracts of more than three months) will be covered by the provisions of this policy.

## **GENERAL PRINCIPLES TO AVOID REDUNDANCY**

The College is committed to avoiding redundancies wherever possible; should circumstances arise where redundancies may be a possibility, therefore, the first steps that we will take may include:

- Using 'natural wastage' to reduce staff numbers;
- Restricting recruitment;
- Reducing or eliminating, where practicable, any overtime working;
- Reviewing the use of temporary or contract workers;

- Investigating whether there are opportunities to redeploy or retrain existing employees whose roles are at risk of redundancy;
- Exploring other methods by which desired cost cuts could be achieved (e.g. voluntary variations of contracts to reduce hours; sabbaticals; secondments, etc).

If redundancies cannot be avoided, the College may in the first instance ask for volunteers to take redundancy. However, in all cases we reserve the right to refuse redundancy to volunteers where it is our opinion that such redundancy would not be in the best interests of the College.

Where the College does decide to ask for volunteers, invitations will normally be offered to all employees whose jobs are at risk of redundancy, and the opportunity to volunteer for redundancy will be available for a defined period only. Where an employee's application is provisionally accepted, they will be notified of this in writing. Employees who volunteer and are accepted for redundancy will be entitled to statutory redundancy pay in the same way as employees who are made compulsorily redundant; however, at the College's absolute discretion, employees who volunteer and are accepted for redundancy may be offered an enhanced redundancy payment that is higher than the level of redundancy pay payable to employees who are selected compulsorily.

If the number of employees who are willing to volunteer for redundancy in a particular situation exceeds the staff reduction required, it will be necessary to determine which volunteers should be accepted through the use of fair and non-discriminatory selection criteria depending on the prevailing circumstances.

## **COLLECTIVE CONSULTATION**

In the event that it is proposed to make more than 20 or more compulsory redundancies within a 90-day period, the College will adhere to the specific statutory requirements concerning collective consultation.

## **INDIVIDUAL CONSULTATION**

Where it is proposed to make fewer than 20 employees redundant, or following a period of collective consultation, all employees occupying a post at risk will be individually advised in writing as soon as possible. They will also be invited to attend individual meetings to discuss the reasons for the proposed redundancies, and to seek their views with regard to future employment, retraining or redeployment. Members of staff may be accompanied to these meetings by a work colleague or trade union representative.

## **SELECTION CRITERIA**

Where a sole position occupied by a single employee is redundant, no selection arises and that employee will be at risk of redundancy.

Where all positions in a particular working group or category are to be redundant, the question of selection does not arise and all those employees in that group will be at risk.

Where only some of a particular group or category of employee are affected by redundancy, the College will agree redundancy selection criteria in advance in order to ensure that selection is fair and objective. In agreeing criteria, the College will normally take into account the views of supervisors and staff involved, subject always to the College's need to retain specific knowledge and skills.

Selection criteria will be devised according to circumstances at the time of the decision, and will be discussed with individuals or – in the case of collective redundancies - with representatives at the time of the potential redundancies. Criteria to be used may include (but are not limited to) some or all of the following:

- Qualifications, skills or experience relevant to the job;

- Performance of the employee;
- Attendance records;
- Timekeeping records;
- Disciplinary records (only current warnings will be taken into account);
- Sickness absence records (where absence has not been as a result of a disability);
- Other criteria considered relevant in the context of the College's needs at the time of the proposed redundancies.

Every effort will be made to ensure that selection criteria are fairly and consistently applied, and will be capable of being backed up with evidence and/ or data.

## **REDEPLOYMENT**

Every effort will be made to find a suitable alternative job within the College for those staff who are potentially to be made redundant. This may include re-training where appropriate, although both the wishes of employee and the future needs of the College will always need to be taken into account. Suitable alternative work will normally mean jobs that provide similar earnings and/ or hours of work, have similar status, are within the employee's capability, and/ or do not involve unreasonable inconvenience.

All staff members who are likely to be made redundant will be sent information on non-academic vacancies in the College, and will be offered any suitable alternative roles.

Redeployed staff who accept alternative employment with the College following the confirmation of a redundancy will be entitled to a trial period of 4 weeks. Should the staff member reasonably terminate their employment during the trial period, or if they are dismissed for factors that are reasonable in relation to the alternative work, the staff member will normally still be treated as redundant and the right to redundancy pay based on the date on which their original job ended will be preserved.

If the member of staff - whether before, during or after the trial period - unreasonably refuses an offer of suitable alternative employment their entitlement to any statutory redundancy payment may be forfeited.

## **REDUNDANCY PAYMENTS**

Where no suitable alternative work can be found for a member of staff within the College and the Master has approved a staff member's selection for compulsory redundancy, they will be given written notice of the termination of their employment, in accordance with the relevant statutory or contractual procedures and notice periods.

Staff members who are made compulsorily redundant and who meet the relevant qualifying criteria will be entitled to receive a redundancy payment calculated in accordance with the relevant statutory redundancy pay provisions in force at the time. Details of how the payment has been calculated will be provided to you in writing, in accordance with statutory provisions.

There is no automatic right to any College redundancy payments in excess of the statutory provision. However, from time to time the College may be able to offer enhanced redundancy payments beyond the statutory provision. Such enhanced payments will be wholly at the College's discretion, and will be decided in accordance with the circumstances at the time. There is no contractual right for a member of staff to receive an enhanced redundancy payment at any time, and any enhanced redundancy payments agreed for one redundancy exercise should not be taken as establishing a right or expectation in respect of any subsequent redundancy situations.

## **APPEALS**

A member of staff who is given notice of dismissal due to compulsory redundancy has the right of appeal against the decision. Notification of an appeal, including reasons for the appeal, must be made in writing to the Home Bursar, within two weeks of the date of the written notice of dismissal.

The appeal will normally (wherever possible) be heard by a senior member of the College who has not previously been involved in the redundancy selection process. Wherever possible a decision on the appeal will be reached during the staff member's period of notice. The decision will be confirmed to the member of staff in writing.

The redundancy notice will not be suspended during any appeal, but will be revoked or amended if the member of staff is successful.

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

None of the above is intended to limit the statutory rights of staff members under current legislation or under the College's Charter and Statutes.

## **ASSISTANCE IN FINDING OTHER WORK**

The College will make every effort to help members of staff who are declared compulsorily redundant, and - subject to the College's operational needs – will allow reasonable paid time off from work during their notice period to look for work and/ or seek retraining opportunities in accordance with current legislation. Requests for time off should be made in the first instance to the designated supervisor.

The College will also endeavour to assist staff for whom alternative work cannot be found in the College to find other employment. Advice and the provision of resources (e.g. word-processing facilities, stationery, pension arrangements, etc) will also be made available to staff members.

Where a member of staff under notice of redundancy obtains employment with another employer and asks to leave the College before the period of notice is due to expire, the College will not unreasonably refuse such a request and a mutually agreed date for the termination of employment will be established. This date will become the revised date of redundancy for the purposes of calculating any entitlement to a redundancy payment and for establishing the member of staff's effective date of termination. There will be no entitlement to pay for the remainder of the original period of notice.

**March 2010**