



# Jesus College Oxford

## REORGANISATION AND REDUNDANCY POLICY AND PROCEDURES

### POLICY STATEMENT

1. This document sets out Jesus College's approach to handling reorganisations, and in particular redundancy. In the event that the needs of the College result in a requirement for the organisational structure to change, the College is committed to ensuring that a fair, equitable and transparent approach is applied.

### PURPOSE AND SCOPE

2. Organisational change is defined as a significant alteration or variation in the organisational structure of the College which will have an impact on staff. Although the College's policy is to avoid redundancies wherever possible, the needs of the College may from time to time require a reduction in the overall number of staff employed or organisational changes that result in some employees being made redundant.
3. Examples of such an organisational change include:
  - reorganisation of the staff/structure of the College as a whole; or
  - significant re-organisation of functions within the College.

### PRINCIPLES

4. The following principles apply:
  - All staff potentially impacted will be offered the opportunity to contribute to the development and implementation of the proposed organisational change;
  - The process of consultation will be consistently and transparently applied;
  - Every effort will be made to ensure that throughout any organisational change and migration to a new organisational structure there is clear, full and open communication;
  - The process of organisational change will be managed with sensitivity;
  - The retention of the people with the required skills in the right jobs will be safeguarded;
  - The College will strive for minimum disruption and uninterrupted service delivery.



## OUTCOMES

5. The outcomes to be achieved from the successful application of this policy are:
  - Organisational change is managed efficiently and with minimal impact on employees;
  - Employees who are unavoidably impacted by organisational change will have clarity with regard the process and knowledge that they are being treated fairly and equitably.

## MONITORING AND REVIEW

6. Human Resources will monitor decisions made under this Policy for fairness and consistency.
7. A formal review of this policy will take place every 3 years or sooner if there is a business need or legislative change.
8. This policy does not form part of employees' terms and conditions of employment and may be subject to change at the discretion of management.



## Redundancy Procedures

### I. Consultation

I.1 The purpose of the consultation is to explore what might be done to avoid redundancies. However, where this is not possible the College will consult with affected staff to mitigate the consequences of any redundancies.

#### I.2 Collective Consultation

In the very unlikely event that 20 or more redundancies are proposed, over a 90-day period, the College will undertake collective consultation. In such circumstances arrangements will be made for the election of employee representatives who will be consulted over the proposals and the general process to be followed. Individual consultation will still be undertaken.

#### I.3 Individual Consultation

Where the potential number of redundancies are less than 20, the College will undertake individual consultation only. This is where employees have the opportunity to be consulted in respect of their own particular circumstances. Individual consultation will last for at least two weeks.

I.4 The College will commence any necessary consultation as early as possible to ensure that the consultation is meaningful. Consultation will be with a view to giving the employee(s) every opportunity to contribute to draft structures and proposed plans. Affected employees will be invited to discuss any suggestions that they may have to avoid redundancies, and what alternatives they are willing to consider, for example a reduction in pay or hours. Employees will also be given the opportunity to comment on proposals for selection, and to suggest alternatives. No final decisions will be taken until the consultation process is complete.

I.5 The individual consultation meetings, of which there should be at least two, should be documented. The following should be discussed:

- the reasons the College is contemplating redundancies and what options it has already or intends to explore to avoid the need for redundancy;
- the grounds for selection of the employee;
- any suggestions that the employee makes in relation to avoiding redundancy;
- the possibility of alternative employment;
- details of the redundancy payment if the redundancy is confirmed;
- where appropriate, the proposals for selection, including details of the pool of employees at risk and the selection criteria;
- the notice period that will apply if the redundancy is confirmed, and arrangements such as whether or not the employee will be required to work the notice period;
- support that will be available, for example outplacement or time off to look for new work; and
- any outstanding related issues or questions that the employee raises.

I.6 If redundancy cannot be avoided, the College will write to the affected employee(s), confirming that the reason for dismissal is redundancy, giving the appropriate notice period, the date on which their employment will terminate, the total redundancy payment and how this has been calculated.

I.6 There is no statutory obligation on the College to offer employees the right to appeal a redundancy dismissal as the individual consultation procedure should allow the employee sufficient opportunity to challenge his or her selection for redundancy.



## 2. Redundancy

2.1 A redundancy for individual employment rights is defined in section 139 (1) (a) and (b) Employment Rights Act 1996 as a dismissal attributable wholly or mainly to the fact that:

- the employer has ceased or intends to cease:
  - to carry on the business for the purposes for which the employee was employed, or
  - to carry on that 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
  - for employees to carry out work of a particular kind in the place where the employee was employed by the employer have ceased or diminished or are expected to cease or diminish.

## 3. Eligibility for Statutory Redundancy

3.1 The Redundancy Payments Scheme referred to in this document applies to all members of staff, subject to the following criteria:

- be an employee working under a contract of employment;
- have at least two years continuous service;
- have been dismissed for reason of redundancy.

Those dismissed for disciplinary reasons, for failing probation, on medical grounds, or on the grounds of limited efficiency, or for inefficiency are not eligible for a redundancy payment.

3.2 The amount of any statutory redundancy payment depends amongst other things on the period purposes of statutory redundancy payments with Jesus College is the period of unbroken College employment.

## 4. Statutory Redundancy Pay

### 4.1 Statutory Payments

The Employment Rights Act 1996 (as subsequently amended) provides a basic entitlement for employees dismissed as redundant who have been continuously employed for the qualifying period.

- For each complete year of service up to age 21 inclusive - half a week's pay.
- For each complete year of service from age 22-40 inclusive - one week's pay.
- For each complete year of service over age 41- one and a half week's pay.
- A week's pay does not include non-contractual overtime.
- The maximum service which can count is 20 years.

4.2 The Employment Rights Act 1996 provides that redundancy payments are to be calculated subject to a weekly earnings limit. For the most up-to-date information on statutory redundancy pay, as well as the weekly pay cap and maximum statutory redundancy pay you can get, please visit the government website: <https://www.gov.uk/redundancy-your-rights/redundancy-pay>



## 5. Jesus College Enhanced Redundancy

- 5.1 The College may offer employees, who are being consulted with, the opportunity to take voluntary redundancy. This consists of enhanced redundancy terms over and above the statutory payment, conditional upon receipt of a signed settlement agreement. The College enhanced redundancy payments are subject to the statutory criteria but are calculated using two times the basic formula statutory redundancy formula.
- 5.2 This means that:
- For each complete year of service up to age 21 inclusive - one week's pay.
  - For each complete year of service from age 22-40 inclusive - two week's pay.
  - For each complete year of service over age 41 - three week's pay.
  - A week's pay does not include non-contractual overtime.
  - The maximum service which can count is 20 years.
- 5.3 The College's enhanced redundancy payments are inclusive of statutory redundancy payments.
- 5.4 Part-time colleagues will receive redundancy pay based on their current part-time weekly wage, regardless of whether they previously worked full-time hours. Where colleagues are made redundant shortly after returning from a period of maternity/adoption leave the redundancy payment is calculated on the basis of the colleague's pay under their contract and not on the basis of their pay during the maternity/adoption leave period.
- 5.5 Jesus College will decide on a case by case basis as to whether to accept a request for voluntary redundancy under the enhanced terms. This decision will be based on factors such as organisational requirements, cost efficiency etc.

## 6. Redeployment

- 6.1 The College will use its reasonable endeavours to offer suitable alternative employment to any member of staff who is displaced because of changed organisational circumstances. The College will consider whether it is appropriate for potentially suitable vacancies to be 'ring fenced' for a short period, meaning that wider recruitment would be briefly delayed.
- 6.2 Where an offer of redeployment is made the following salary protection conditions will apply:
- Members of staff redeployed to posts with the same pay grade, or salary, will retain their current rate of salary;
  - Members of staff who apply for, and are redeployed to, a post which is one grade lower (or with more than a 10% average salary difference) than their current grade will continue to receive their current salary for up to one year. After one year salary protection will end.
  - If pay is permanently reduced, frozen or increases are restricted, the College will:
    - retain the individuals existing leave entitlement;
    - issue revised written statements of main terms and conditions of service
    - offer reasonable and appropriate retraining facilities.
- 6.3 Employees identified as at risk of redundancy who are pregnant, on maternity leave, adoption leave or shared parental leave are entitled to be offered any suitable alternative roles within the college and given first refusal over other affected employees.



- 6.4 For pregnant employees, this protection applies from the point the employee tells the college that they are pregnant and continues to apply for 18 months after either the expected week of childbirth, or the exact date of birth, if the employee informs the college of this, and includes the period spent on maternity leave.
- 6.5 For employees who take adoption leave, the protection will apply for 18 months starting from the date of placement of the child.
- 6.6 For employees who take shared parental leave, the protected period is for 18 months from when the child is born. The employee must have taken six or more consecutive weeks of shared parental leave and not taken maternity or adoption leave for the protection to apply. If less than six consecutive weeks of shared parental leave is taken, protection will only apply during the period of shared parental leave.
- 6.7 If you have any queries about whether this applies to you or how it will affect you, please raise these with your line manager.

## **7. Trial Periods**

- 7.1 The College will give colleagues who accept an offer of redeployment a trial period of four weeks to settle into the post. Redeployment will include re-grading and movement to a post where the terms and conditions are different and may, subject to discussion, include redeployment into a different specialism.
- 7.2 The purpose of the trial period is to allow individuals and management to determine whether or not the, to which an individual has been redeployed, is suitable. Formal reviews will take place between the individual and their manager during and towards the end of the trial period. Written confirmation of such reviews will be issued to the individual.
- 7.3 At the end of the four week trial period, if the individual does not wish to continue in this employment and no other suitable employment can be found, they will be entitled to redundancy benefits. The reason for not continuing in a post must be directly linked to the employee's suitability for the post and must be a reason other than that the individual does not wish to continue in employment. The decision as to whether the reason is a reasonable one will be made by the Director of Human Resources, in liaison with the line manager.
- 7.4 The trial period of four weeks may be extended, for example if specific training is needed, at the discretion of the Director of Human Resources, in discussion with the line manager.
- 7.5 The College reserves the right to terminate the redeployment arrangements after the trial period, if it considers that the employee is unsuitable in the new post.

## **8. Pay in Lieu of Notice**

- 8.1 The College will endeavour to give employees the appropriate period of notice of forthcoming redundancies. If in exceptional circumstances this is not possible, a payment in lieu of notice may be made as compensation for any lack of notice.

## **9. Leave and Time off Provisions**

- 9.1 A member of staff made redundant will receive pro rata leave entitlement up to the date of leaving the College.



9.2 During the period of notice, a reasonable amount of time off on full pay will be permitted in order that redundant employees can attend interviews for other posts.

## **10. Advice and Assistance**

- 10.1 The Director of Human Resources is available to discuss individual circumstances and to advise on possible redeployment. Where appropriate this may extend to giving advice and assistance in finding suitable employment outside of the College.
- 10.2 In instances where organisational change may lead to a reduction in staff, support will be offered to the individuals concerned to assist them in identifying a new role, either within the College or with an alternative employer. Such support may include: job applications; CV writing; interview skills etc.