

Managing Organisational Restructures Procedure

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Introduction

The aim of this procedure is to provide an equitable and non-discriminatory process for managing the people aspects of restructuring. To ensure that change is handled fairly and sensitively, and all reasonable effort is made to maintain job security wherever practical, including redeployment (with reasonable training support) of staff where possible, whilst ensuring the operational requirements of the University are met.

This procedure applies to all University Staff except to individuals engaged on Staff Bureau contracts.

1. Scope

Organisational change normally arises from one or more of the circumstances set out below:

- 1) Restructure of any part of the organisation: Restructuring can arise when a new organisational structure is created which involves a change in the number, and/or types of roles. It may result in a reduction or increase in the number of staff.
- 2) A reduction in the number of staff: This can arise when there is a requirement to reduce staff numbers without restructuring, for instance:
 - The closure of an area of the University and reduction in demand/cessation of that activity
or
 - A straightforward reduction of staff numbers at local level or across the whole University without the need for restructuring.
- 3) Changes to working arrangements: This can arise when changes to working arrangements are required, and would normally include changes in reporting line, change of duties or responsibilities (with no change in grade/ level) or change of location. Whilst this would not normally invoke formal procedures the principles of reasonableness and equality apply.

The Managing Organisational Restructures Procedure applies only to 1 and 2 above. It includes:

- A process for managing the change and potential redundancy
- A redeployment process for those given notice of redundancy (see [Appendix C](#)).

2. Main stages

There are key stages that will need to be followed sequentially when managing a restructure and/or reduction in the number of staff. These are

- Design & planning
- Formal consultation and preparation
- Implementation of the restructure/redundancy process
- Managing staff redundancy situations.

Prior to any stages full consideration must be given to avoiding/minimising compulsory redundancies (see [Appendix D](#)).

3. Stage 1: Design and planning

The design and planning stage allows managers to consider and plan organisational change in concept, detail, and timeframes. This stage must allow sufficient time for institutional and financial approval; take any proposals to a formal consultation phase and may involve discussions with trade unions, staff, and other parties where this is possible and practical.

The level of approval will be determined by the circumstances and guidance must be sought from the relevant SLT/SLG Member and HR.

The following outcomes are expected:

Business Case: a written proposal, which includes:

- a clear rationale for change
- financial implications
- a breakdown of staff numbers pre and post reorganisation, giving due consideration to resources required to deliver the proposed change
- a clear communication plans
- estimated timeframes: key dates for the proposed implementation and communications plan.
- details of appropriate level of staff support and transitional plans prepared by the appropriate manager in consultation with their Dean/Director or other senior manager
- Where appropriate, existing & proposed draft organisation charts, existing and proposed job roles/descriptions and transition arrangements prepared by the appropriate manager

4. Stage 2: Formal consultation and preparation

This stage provides for formal consultation to commence with trade unions and staff. This will begin as soon as possible and will be subject to the minimum statutory consultation periods (see [Appendix B.](#))

The purpose is to consult about ways to avoid any proposed redundancies, attempt to reduce the number of staff to be made redundant and mitigate the consequences of the redundancies. This includes discussing the rationale, proposed changes in detail, and the effect on posts and seeking agreement of the selection pool for redundancy, should this apply.

Such discussion will be undertaken with a view to endeavouring to reach agreement with the trade unions. Full consideration should be given to the responses raised and any formal alternative proposals during the consultation process before making any final decisions.

Depending on the size of the re-organisation the following meetings/briefings may take place:

- Managers responsible for the re-organisation, with support from HR, will meet with trade union representatives to advise of the form of consultation and timescales
- One-to-one meetings may be offered to potentially affected staff (staff can be represented by a trade union representative or workplace colleague)
- Briefings with groups of staff within the faculty/department
- Staff briefings across the University/faculty/ department
- Student briefings where appropriate.

While the University will endeavour to reach agreement with the recognised trade unions, should this not be possible during the consultation process, the University may proceed with their proposals including the determination of any selection pool.

An agreed sample of new/updated job descriptions may be submitted to a panel prior to consultation to provide an indicative grade and again at the end when the final job description is available for job evaluation if appropriate.

The University will use its best endeavours to continue dialogue with the affected staff and the recognised trade unions during the implementation phase.

5. Stage 3: Implementation of a restructure/ redundancy process

The implementation allows for posts to be filled in the new structure using the following steps:

Step 1: Identify posts, staff potentially affected and the process for filling posts:

Staff affected” are usually those within the part of the University to be restructured whose roles may be substantially affected, changed or removed. It may be appropriate to also consider staff elsewhere in the University who carry out equivalent roles and whether they should be included and / or are potentially affected; however ordinarily this is limited to the section/department being restructured.

The number, grades and disciplines of the roles which may be affected in the faculty and/or department will have been identified.

Having identified the staff affected, a process for filling the roles will be determined. This will normally include the following sequence which is explained in more detail in [Appendix A](#).

- Slotting in
- Determine staff who are ‘at risk’
- Limited competition
- Limited open competition
- Posts will be made available to “at risk” staff prior to open competition
- Open competition will occur for any posts where the necessary skills and experience are not available among ‘at risk’ staff; where limited competition does not result in a successful appointment among affected internal staff or for all Board posts as a matter of course to ensure that the University has the most suitable candidates for such critical roles.

Step 2: Determine who should be slotted:

Slotting in will apply where the new role is at least 70% the same in terms of duties and the staff meets the essential criteria for the role, and it is at the same grade/, and there are the same number of posts in the new structure as affected staff. Slotting decisions are made in the interests of minimising the impact on others. The manager will be responsible for slotting with the agreement of the Dean/Director and for notifying the staff, with the guidance and support of HR. It may be appropriate for the manager to review the slotting arrangements with a panel, the composition of which should be outlined as part of the business case.

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Staff may request a meeting with their manager and an HR representative to discuss the slotting allocation. Staff have the right to be accompanied to this meeting by a trade union representative or workplace colleague.

Staff, who are slotted into a suitable alternative post but decline the role, may lose their entitlement to a redundancy payment on the grounds that they have refused a suitable alternative offer of employment

Step 3: For affected staff not slotted in, conduct ‘at risk’ meetings and advise about the selection process:

Any staff who has not been slotted in and who is considered ‘at risk’ of redundancy will be invited to an ‘at risk’ meeting with their manager. The staff will be given advance notice of this meeting and has the right to be accompanied by a recognised trade union representative, or workplace colleague.

The key points of the meeting should be noted, including the staff’s preferences and any questions. They may also have suggestions they wish to make on how to avoid their redundancy. Following the meeting the staff will be sent a letter confirming the situation and advising of the risk of redundancy.

If required, a follow-up meeting will normally be scheduled within 2 weeks, which will allow time for the proposals to be digested and to address outstanding concerns and questions. At this meeting the staff will

have an opportunity to reflect on the previous meeting and confirm whether their preferences have changed or not and ask any further questions.

Step 4 – Carry out a 'limited competition', selection process for particular roles (see Appendix B1)

Limited competition is where the principles of slotting apply, but there are more staff than available posts within a defined functional area, or section. It will be necessary to conduct a competitive selection process from this pool to appoint staff to the new posts.

In such situations staff will be invited to apply for the posts within their defined functional area/ section that best represents the duties of their substantive role, are at their current grade/level and where they meet the essential criteria.

In the first instance, staff at risk will be expected to apply or be considered for posts in the new structure where they meet the essential criteria of the post. At this stage applications considered will be limited to affected staff who are 'at risk'.

If a member of staff chooses not to accept a trial period, that is deemed a suitable alternative, or apply for roles, they may lose their entitlement to a redundancy payment on the grounds they have refused to participate in the process for a suitable alternative post.

Salary protection will only apply for staff whose new role is one grade below their original grade in line with the University's Protection of Salary procedure.

Should staff meet the essential criteria for more than one of the posts in the new structure, they will be asked to state their preference which the University will endeavour to accommodate if possible.

The selection process will depend on the requirements of the posts in the new structure. Examples include interview, presentation, testing (where testing applies, details of the type of test will be sent to all short-listed applicants), and a paper-based review of evidence and/or scoring system. The following list (which is not exhaustive) provides examples of criteria which could be considered:

- Competence and performance – an objective assessment of competence and performance
- Qualifications, skills, previous experience, and aptitude.

The following can also be taken into account where candidates are evenly matched against the selection criteria:

- Attendance: attendance records, where appropriate and accurate comparisons can be made and subject to the University's duties to disabled staff, or maternity related absence
- Current disciplinary record – only current formal warnings.

A demonstrably fair selection process must be applied. Where a panel is required, the membership of the panel should be included in the response to consultation documents and should mirror, wherever possible, the guidelines on composition of the interview panel, which can be found in [Recruitment & Selection Guidance](#).

6. Stage 4: Managing staff redundancy situations

While the University will normally seek to follow the slotting in process, there may be circumstances in which this is not possible or where it is not appropriate. This part of the process allows for circumstances where there is a required reduction in staff numbers without slotting in opportunities being available.

Selection process for redundancy

If any faculty/department of the University is to be closed, there may be no requirement for a selection process for potential redundancy. If there is a requirement to retain some staff from the potential pool for redundancy, a selection process will be undertaken, following consultation.

Staff who are unsuccessful in the initial selection process may apply for any post that has not been filled through limited competition or that is vacant in the new structure or elsewhere in the University. They will be guaranteed an interview for any role where they meet the essential criteria.

Where a new role is secured, salary protection would only apply for staff occupying roles one grade below their original grade (see the [University's Protection of Salary procedure](#)).

A staff member, who refuses the offer of a suitable alternative role on the same or comparable terms as previously applied, including one grade below their current grade, may lose the right to any redundancy payment.

[Outcome where no suitable employment has been identified](#)

Where no suitable alternative role has been identified as a result of the above steps, an appropriate senior manager and a member of HR will meet individually with staff to issue formal notice of redundancy. The staff has the right to be accompanied by a recognised trade union representative, or workplace colleague.

At the meeting the staff will be:

- Advised of the reason for the proposed redundancy
- Informed of the redeployment process (See [Appendix F](#))
- Provided with details of the redundancy entitlement
- Informed of their right of appeal against any decision to dismiss by reason of redundancy (See [Appendix E](#)).

A letter must be sent to the staff giving formal notice of redundancy following this meeting clearly stating the reason for dismissal is redundancy.

Where a staff member retains 'Senior Post Holder' status as defined in the Articles they would additionally be subject to the procedures outlined therein.

Staff to be made redundant will receive full support from their line manager and HR including being supplied with details of additional support available.

7. Redeployment and trial periods

If staff have been issued with notice of redundancy the redeployment process will form part of the notice period in respect grades 1-7 and be in addition to the notice period in respect of grade 8 and above. (See [Appendix C](#)).

Staff will be provided with a nominated representative from the HR Department who will maintain contact with them and provide support during the redeployment period.

It is the responsibility of both the University and the staff to search for suitable alternative opportunities.

Vacancies will be made available to 'at risk' staff for them to apply in the first instance prior to becoming available for others. Where there is a specialist role for which the skills required are unlikely to be met from the 'at risk' pool of staff, these roles may be considered for an immediate external advert.

An 'at risk' staff who successfully obtains a suitable alternative post within the University will be offered the role on a 4-week trial period. Their terms and conditions, including their remuneration will remain unchanged during the trial period, and the total cost will be borne by their existing faculty/ department budget.

Reasonable development may be considered as an alternative to redundancy – where it is evident that a future vacancy is likely to exist within a short period of time.

8. Embedding and effectiveness review

Attention should be given to embedding the change to ensure staff understand the vision for and objectives of their new roles. Personal development should be discussed as part of regular one to one meetings and included in Performance and Development Appraisals.

A review and lessons learned exercise will be undertaken within a reasonable time period after the completion of any significant restructuring exercise. This should include a review of the exercise and whether its aims and expectations, as set out in the business case and subsequent post-consultation document, were met. Any follow-up actions required to address outstanding concerns should also be identified.

9. Staff on fixed term contracts

HR must be consulted at the earliest opportunity so they can advise on whether staff on fixed-term contracts should be included in any restructuring, redeployment, or redundancy consultations.

Staff whose contract ends at its expected expiry date prior to any restructuring, will not normally be included in the redundancy pool. Where fixed term staff are not included, they will nevertheless be entitled to redeployment support as described in [Appendix F](#). In these unusual cases the University will ensure they are consulted, provided with redeployment opportunities, and receive redundancy payments where they are due in accordance with [Appendix A](#).

10. Staff temporarily absent from the University

Staff who are absent from the organisation who are affected by the planned restructuring/reorganisation must be included in the consultation process when determining new structures.

In some cases, staff will have an entitlement to return to a specific position providing one is available, e.g., if on maternity, adoption, or paternity leave. All staff who are affected by the change will have the opportunity to have a consultation meeting and, wherever possible, this meeting will take place at the same time as for other staff.

All staff absent from the organisation will be invited to all relevant meetings about the restructuring/reorganisation and copies of relevant written communication will be sent to their home address/ email.