Code of Practice on Security of Employment

Preamble

The achievement of the University’s strategic goals depends upon having a flexible and highly motivated workforce. The University recognises that this will best be achieved in a climate of maximum possible security of employment. It will do all it can to maintain such a climate but the ever-changing financial context of higher education means that both the University and its employees will have to show flexibility and adaptability if this goal is to be reached. This Code of Practice sets out the approach to flexibility that is required and deals with the difficult issues that may have to be faced in situations where redundancies become inevitable. It applies to all academic and related staff employed on open ended contracts where the normal expectation may be for employment until retirement. There are particular considerations with regard to Academic Staff laid on the University by Statute XXI (the 'Model Statute') but the Code also applies the redundancy provisions of the Statute to academic related staff. A separate Code of Practice (Appendix Two) covers the use of fixed term contracts; the translation from fixed term to indefinite contracts and the procedures to be used in any subsequent redundancy situations.

Re-deployment

It is important for employees and managers to recognise that the University is the employer and must have ultimate control over the placement of the workforce. Although many employees can expect to spend all of their career in the area of the University to which they are initially appointed re-deployment from one post or area to another may become necessary to respond to changing priorities and/or to help avoid redundancies. Re-deployment can be authorised only by the Operations Committee, acting on behalf of and reporting decisions to Council. The circumstances which may lead to a proposal for re-deployment may vary but in all cases a reasoned written proposal must be put to the relevant trades union with at least two weeks allowed for a written response. The proposal and any response will then be considered by the Operations Committee, and in all cases the following shall apply:

* An individual’s existing salary and salary expectations in their current grade will not be reduced.
* Any re-training will be fully funded by the University (including travel and accommodation costs if necessary).
* If a subsequent vacancy occurs in the area from which an employee has been re-deployed that employee will not be denied the opportunity of being considered for that vacancy.
* When any re-deployment involves a change of Conditions of Service the employee concerned will retain any more favourable conditions on an individual basis for a transitional period of 12 months.
* Individual employees will have the right to use the Grievance Procedure if they feel that re-deployment is inappropriate.
Redundancy

The University commits itself to avoid the use of compulsory redundancy wherever possible and to work with the relevant trades unions to explore all possible alternatives to compulsory redundancy. It is committed to careful forward planning and management of resources in order to seek to ensure security of employment for all its employees and to sharing any financial or staffing information which may be relevant to the employment security of employees with the relevant trades union at the earliest possible opportunity.

The University will not use redundancy as a surrogate for any other, more appropriate, form of action. In particular, the University will not initiate the procedures in this Code where the use of managerial action to improve poor performance or the use of disciplinary procedures would be appropriate.

Redundancy situations can arise through financial pressures, organisational change or advances in technology. Any proposals to declare an individual post or groups of posts redundant must be placed before the Operations Committee. If the Committee accepts the proposal it shall arrange for consultations to begin with the relevant trades unions. In the case of an individual post the post holder shall also be consulted at this stage. These consultations shall include a statement of the reasons for declaring the redundancies and the exploration of alternatives to redundancy, which may include early retirement, voluntary redundancy or re-deployment. If, following these consultations, the Operations Committee still sees a need for compulsory redundancies it shall make a recommendation to Council for the appointment of a Redundancy Committee. This Committee will be constituted as provided for under Statute XXI Part II but it shall be competent to consider proposals relating to any staff group. During the period when redundancies are being considered there shall be no recruitment of new employees in the relevant staff groups to the areas under discussion.

The Redundancy Committee shall determine the criteria to be used having regard to the principles set out below. It shall then select employees for compulsory redundancy in accordance with the criteria. The individuals so selected shall be consulted and supplied with details of the factors used in the selection process. Following this consultation the Committee will make a recommendation to Council. This recommendation shall include details of the selection criteria that have been used. If Council accepts the recommendation the employees in question will be given six months notice plus a statutory redundancy payment. Copies of the minutes of the Redundancy Committee shall be made available to the relevant trades unions.

Selection Criteria

Individual posts

Where an individual post has been identified for redundancy the criteria will be met if the Redundancy Committee is satisfied that no other similar post exists in the same area of the University. If it determines that other similar posts do exist the criteria set out below for multiple posts shall apply.
Multiple posts
The overall aim of the selection criteria are to be fair to all concerned whilst balancing the need to retain the workforce needed for the future well-being of the University. Precise criteria will be drawn up by the Redundancy Committee in the light of each redundancy situation with the following factors normally taken into account:

* Skills and qualifications needed for the future
* Standard of work performance
* Attendance
* Disciplinary record
* Length of service

Most weight will be given to the first two factors. Care will be taken to ensure that objective measures, including existing performance indicators, are used wherever possible and that the criteria do not discriminate unfairly. The trades unions will be given an opportunity to comment on the criteria before the Redundancy Committee begins to apply them.

Appeals
Appeals against the application of the selection criteria can be made under the Grievance Procedures set out in the Conditions of Service or for Academic Staff as provided in Statute XXI.