



PRIFYSGOL
BANGOR
UNIVERSITY

**MANAGEMENT OF CHANGE POLICY AND
PROCEDURE
ORDINANCE 20**

Rev	Date	Purpose of Issue/Description of Change		Review Date
1.				
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3.				
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1 Policy Purpose

- 1.1 This Policy and Procedure represents the relevant Ordinance in relation to the University's management of change. This Policy and Procedure has been negotiated and agreed with the Unions, approved by the Council and forms a term of all relevant employment contracts of staff members of the University.
- 1.2 This Policy and Procedure provides a framework for the University to follow in circumstances where a change programme takes place. It focuses specifically on the staffing implications of any change, and will be further underpinned by other supporting interventions, for example training and development programmes and opportunities.

2 Introduction

- 2.1 The University requires a staffing profile appropriate to its academic and business plans, and needs for the future. This is in the context of the University's short, medium and long term financial requirements, taking into account the rights, needs and aspirations of staff.
- 2.2 When the University makes plans for the future, its priorities will include security of employment for its staff and the desirability of avoiding compulsory redundancy. The University will, as far as possible, appraise the Trade Unions of any plans at the earliest possible opportunity and maintain an open and transparent dialogue about those plans, by means of the Joint Engagement Forum. Whilst such plans will not be the subject of collective bargaining, the University commits to working collaboratively with the Trade Unions, as far as possible, in order to identify solutions to any challenges faced.
- 2.3 The University is committed to avoiding redundancies wherever possible, adopting the principles set out in this policy and procedure. The University commits to consider compulsory redundancy only as a last resort when all other alternatives have been fully explored and exhausted but reserves the right to do so if necessary. The University and the Trade Unions acknowledge each other's position on compulsory redundancy. The University will endeavour to manage the change programme with care and sensitivity appreciating its impact upon all staff.
- 2.4 The policy illustrates the types of measures that will be considered with a view to avoiding / minimising redundancies. In the event that redundancies become necessary, the University intends to follow a fair and transparent process, and to take measures to mitigate their impact should redundancies become unavoidable.
- 2.5 During a change process no employee will be treated less favourably on the basis of criteria unrelated to their role/employment, e.g. sex or gender, marital or parental status or other family circumstance, sexual orientation, civil partner status, disability, religion, race, age, ethnic or national origin, political views or Trade Union membership, duties or activities. Specific consideration is to be given to those on a period of

absence such as maternity, parental leave adoption leave, bereavement leave or sickness absence.

3 The principles

- 3.1 The purpose of this policy and procedure is to ensure that, whenever a reduction in employee numbers may become necessary, the University:
- communicates clearly with all affected employees and ensures that they are treated fairly;
 - tries to find ways to avoid compulsory redundancy wherever possible;
 - consults meaningfully with employees, and with recognised trade unions and/or employee representatives about redundancy proposals when they are still at a formative stage;
 - ensures that selection for compulsory redundancy is undertaken fairly, reasonably and without unlawful discrimination; and
 - conducts a reasonable search for suitable alternative employment for those at risk of compulsory redundancy.

4 Scope

- 4.1 This policy is applicable to all staff engaged on a contract of employment. It does not apply to agency workers, consultants, self-employed contractors, honorary positions, visitors, emeritus professors or any staff who are employed on a non-UK contract of employment.
- 4.2 This policy does not apply to employees on probation or the ending of fixed term contracts on their expiry dates (with the exception of those on fixed-term contracts whose contracts are brought to an end before the planned expiry date). Please refer to the Probation Policy and Procedure and the Fixed Term Contracts Policy and Procedure for further information.

5 Trade Union Consultation

- 5.1 The University undertakes to inform and consult the relevant recognised Trade Union(s) about proposed redundancies, potential or otherwise in good time and at the formative stage to allow time for the trade unions to respond to proposals and make counter suggestions which can be properly considered. The University will also keep the relevant trade unions informed of further developments as they arise throughout the period of consultation.
- 5.2 In particular, such consultations will begin:
- at least 60 days before the first dismissal is due to take effect, where it is proposed to dismiss as redundant 100 or more staff within a period of 90 days or less within the University; or

- at least 60 days before the first dismissal is due to take effect, where it is proposed to dismiss as redundant 20 or more staff within a period of 90 days or less within the University, or
 - as soon as is reasonably practicable before the first dismissal is due to take effect, where it is proposed to dismiss as redundant fewer than 20 staff within the University.
- 5.3 To initiate and facilitate consultation formally, where required, the University will first provide the relevant recognised Trade Union(s) with written information relating to its proposals, as set out in paragraph 9.1.
- 5.4 The University's aim is for consultation to be meaningful to both parties, conducted with the representatives of all employees who may be affected, with a view to reaching agreement on ways to avoid, or to reduce the numbers of and to mitigate the consequences of the proposed redundancies.
- 5.5 Consultation with groups of affected employees will be conducted in conjunction with the HR Department. Such consultation will involve considering ways to avoid proposed compulsory redundancies, including consideration of volunteers for redeployment, voluntary redundancy or early retirement. At all stages of individual consultation staff may be accompanied by a Trade Union representative or colleague.
- 5.6 The University will provide the relevant Trade Union(s) with a copy of any statutory notice supplied to the relevant Government Department about the proposed redundancies.

6 Initial steps to avoid redundancy

- 6.1 The University, in consultation with individual employees and the relevant recognised Trade Union(s), will seek to mitigate the effects of potential redundancies by considering alternative courses of action which may minimise or eliminate the need for compulsory redundancy such as:
- reduction in non-staffing costs;
 - methods of increasing income to the college or department affected;
 - reduction and/or termination of the use of external staffing resources;
 - non-replacement of staff following normal staff turnover;
 - restrictions on external recruitment in the staff categories affected or in areas to which staff may be redeployed;
 - where relevant, reducing or eliminating paid overtime;
 - reduction of hours of work and consideration of volunteers for part-time working;
 - Consideration of volunteers for job sharing;
 - Consideration of volunteers for Sabbaticals and secondments;
 - redeployment, relocation and/or retraining of employees to, and for, alternative types of work, or places of work within the University; and

- Offering voluntary early retirement or voluntary redundancy to employees within the college, department, section or department affected, or elsewhere (further detail noted below).
- 6.2 To support the understanding of staff aspirations and potential options a Head of School or relevant line managers may collect information and request that staff provide non-binding data as to their short and longer term aspirations to better understand and consider possible options in advance of restructuring to mitigate the need for redundancies and the steps associated with redundancy selection.
- 6.3 The scope to use any of these measures will be considered by the relevant college or department, or the University Executive Team as appropriate to the circumstances of each case, in consultation with relevant individual members of staff and the relevant recognised Trade Union(s).

7 Voluntary Redundancy / Early Retirement

- 7.1 If, during any exercise under this Policy and Procedure or otherwise, voluntary redundancy or voluntary early retirement is offered by the University, a separate scheme relating to voluntary redundancy and voluntary early retirement will be consulted upon with the relevant Unions and will be advertised on the University's website.

8 The Procedure for Restructuring

- 8.1 This section of the policy and procedure outlines the process to be followed when it is established that a re-structuring exercise needs to take place. A re-structuring is defined as the implementation of a new staffing structure, which differs from the existing structure. This procedure outlines the stages to be followed in moving staff members from the existing structure to the new.
- 8.2 In moving from one structure to another it is anticipated that some employees' roles may change wholly, or substantially or that they may undergo minor change. In the event that a role is deleted, or changes substantially, it may also be the case that there is no equivalent role in any new structure; or that a new role may be subject to competitive selection. The University may also require employees to change location, provided the new location is at a reasonable distance from the previous workplace.
- 8.3 The University's aim is for this procedure to provide a transparent means for determining how ongoing roles change and new roles are populated, whilst allowing a degree of flexibility to accommodate individual contractual arrangements.

8.4 The following principles underpin the University's approach to restructuring:

- The desire to minimise disruption and maximise continuity – the University's aim is to assimilate as many employees as possible into new roles within the new structure as far as possible.
- A commitment to provide job security and new opportunities for existing employees as far as possible.
- Advice should be sought from Human Resources about liaising with those who are absent from the workplace, for example those on maternity leave, adoption leave, or sickness absence.
- A commitment to consult appropriately with employees and the recognised Trade Unions. New structures will not be confirmed until the consultation process has been completed and employees can be accompanied by a colleague or union representative at any stage.
- Throughout the process, and at any stage, new posts in the structure will be advertised, with the caveat that prior consideration will be given to applicants who are identified as being 'at risk', and in accordance with the Redeployment Policy.
- Existing part time employees will be considered for roles on their existing hours wherever possible. The University has no intention to withdraw flexibility of working arrangements or to create a new work pattern, unless the University considers this to be necessary. The University aims to balance the requirements of roles with current working arrangements where this is feasible. In many cases, such discussions and decisions may need to be made on an individual basis.
- The University aims to support employees with their training and development needs prior to, during and after the transition to the new structure, which will include the provision of reasonable retraining for employees at risk, where this could avoid the need for compulsory redundancy, and in accordance with the Redeployment Policy.

8.5 The University will take one of two approaches. The 'selecting-in' mechanism, which applies to determine whether an employee, at risk of redundancy, may be assimilated into an alternative post without the need for further selection, or to engage in a competitive selection process where roles are available and there is more than one prospective applicant for the role.

8.6 In appropriate cases, the University has the ability to use a 'selecting-out' mechanism from an existing pool, which would involve using selection criteria to determine which employees would be made redundant. This approach would involve the setting out a redundancy proposal and Business Case and consulting upon:

- the selection pool;
- the selection criteria;

- the method of applying the selection criteria; and
- the information which would be made available routinely to staff by way of feedback.

9 Restructuring Stages

9.1 Stage 1 – Information and Consultation

9.1.1 The main purpose of consultation is -

- to explain the reasons for the proposed restructure.
- to give employees and the recognised unions a fair and proper opportunity to understand how the proposed changes will affect the employees.
- to give employees and unions an opportunity to express their views, to request information and to suggest alternatives for how the needs of the University can be met.
- Meaningful consideration will be given to the responses and comments received as part of the consultation exercise, and feedback provided. A final proposal will then be produced, taking meaningful account of responses, following which a decision by management will be made.

9.2 Collective Consultation Process (where applicable)

9.2.1 Once the Business Case proposal has been developed to capture the proposed changes consultation with trade union and staff representatives will begin, in line with the time-scales noted in section 5.3. During the re-structuring process, the University aims to provide the following information, initially to the Trade Unions and then to employees who are identified as being directly affected by the restructuring -

- one or more business cases outlining the proposal and the reasons for it;
- Equality Impact Assessment
- number and description of employees it is proposed to declare redundant;
- total number of employees of any such description employed in the University, directly affected;
- proposed method of selecting the employees who may be identified as redundant;
- proposed method of carrying out the dismissals in accordance with agreed procedures as appropriate;
- period over which the dismissals are to take effect;
- proposed redundancy terms, including whether provision is to be made for pay in lieu of notice, and the method of calculation, if other than that specified by employment legislation;
- the number of agency workers working temporarily for and under the supervision and direction of the University;

- the parts of the University's undertaking in which those agency workers are working; and the type of work those agency workers are carrying out.
 - Information on staff turnover for the last 3 years (where applicable to the proposal)
 - A list of vacancies on a weekly basis (as applicable to the proposal).
- 9.2.2 In cases where fewer than 20 employees are at risk of redundancy, the University will provide a rationale for the proposals, however this may not take the form of a Business Case for Change document. The University may produce a business case to support its proposals but whether it does so, and the form/content of any such case, are a matter of University discretion.
- 9.3 Individual consultation process
- 9.3.1 In some situations the University will invite applications for voluntary redundancies. Full details will be forwarded to affected members of staff in such cases. The University reserves the right not to accept voluntary redundancy applications in all cases.
- 9.3.2 Staff who are 'at risk of redundancy' will be given the opportunity to attend a consultation meeting.
- 9.3.3 Members of staff have a right to be accompanied at any such meeting, by either a trade union/staff representative or work colleague, with sufficient notice provided to enable the staff member to be represented.
- 9.3.4 The consultation meeting will consist of a discussion of the reasons for the proposed changes and potential redundancies. Possible ways of reducing (mitigating) the number of redundancies will also be discussed, with the member(s) of staff being encouraged to put forward their ideas, which the University will consider and respond to.
- 9.3.5 Dependent upon the issues raised during the consultations, more than one meeting may be necessary. Notes of the meeting(s) will be taken.
- 9.3.6 If staff suggestions made within the consultation period are adopted which affect the proposal, the proposal will be amended and implemented accordingly. If staff suggestions are not adopted, reasons will be given.
- 9.4 Stage 2 – Confirmation of Structures
- 9.4.1 Following the consultation process and approval of final proposals and structures, all employees affected will be informed of the confirmed structures.

9.5 Stage 3 - Provisional Assimilation (matching people and posts)

9.5.1 The restructuring exercise may involve a process of assimilating existing employees into new roles within the new structure. Management, in consultation with Human Resources, will consider the eligibility of individual employees for assimilation, and will then:

- provisionally assimilate employees to a post following the principles for assimilation, or
- provisionally allocate an employee to a post or group of posts, or
- identify those employees who do not fit into either of the above categories.

9.5.2 During this exercise management may wish to speak to individual employees to clarify any specific issues and explore alternatives as outlined in section 6.1 of this policy. In such cases, reasonable notice (usually no less than five working days) will be given. Staff are always entitled to have a union representative present at meetings of this kind.

9.5.3 The principles of '**assimilation**' are as follows:

- where the employee is the sole occupant, or the number of employees match the number of new posts
- where the responsibilities of the new post in the new structure are substantially equivalent to the responsibilities of the old post, and are compatible with the experience and qualifications of the employee.

9.5.4 Employees will be individually informed in writing by Human Resources of the outcome. Employees who have been provisionally assimilated in to a post, but who wish to be considered for voluntary redundancy/early retirement should notify their interest with the Deputy HR Director as soon as possible, as this could create a suitable vacancy for another appropriately experienced person. Staff members will be advised of their right of appeal in accordance with section 14 of this policy.

9.6 Stage 4 - Discussions with employees who are not assimilated

9.6.1 In circumstances where there are more members of staff than the number required for a particular post or group of posts, assimilation will not be possible. The principles of prior consideration will be followed.

9.6.2 The principles of '**prior consideration**' are as follows:

- the responsibilities of the new post are equivalent to the employee's former responsibilities and compatible with the employee's current experience and qualifications however it has not been possible to assimilate as there are more employees than there are posts.
- Staff members would therefore have the right to have their application for other suitable posts considered separately from and in advance of all other applications for the post in question, only competing with others to which this definition applies i.e posts would be ring-fenced.

- 9.6.3 For employees not assimilated into a post, consultation will continue with appropriate manager and a member of staff from Human Resources, with the staff member having the right to be accompanied by a colleague / Trade Union representative. The purpose will be to -
- confirm or identify a post or posts where the employee may be eligible for prior consideration
 - confirm with each employee, as appropriate, their order of preference for the posts for which they have prior consideration eligibility.
 - Ascertain the employee's interest in posts either within their own department or outside the department in which they are currently employed, in conjunction with the Redeployment Policy.
 - take note of the employee's interest, if any, in voluntary redundancy/early retirement
 - alert the employee to the possibility of compulsory redundancy.
 - Make a note of the employee feedback, and take note of and, where necessary, address any issues the employee raises, which the employee feels has unfairly disadvantaged them in this process. Managers should refer to Human Resources if they are unable to resolve an issue at the local level.

9.7 Stage 5 - Interviews for prior consideration for posts within a College / School / Department

- 9.7.1 The selection criteria will be devised by the department, in consultation with the designated HR representative. The criteria, together with the composition of the selection panel will then be communicated to the staff 'at risk', their representatives and recognised trade unions, and comments will be invited.
- 9.7.2 Criteria used will be appropriate to the change being undertaken. The following list, although not exhaustive, provides examples of the types of criteria that could be used:
- range and level of skills;
 - qualifications (in relation to the criteria for the role);
 - job performance/quality of work where such criteria can be fairly, transparently and consistently applied.
- 9.7.3 For support and non-academic roles, it may be appropriate to use the Person Specification attached to the relevant job description for the role to inform the criteria, along with an interview and/or assessment such as a presentation where appropriate.
- 9.7.4 All selection criteria will be applied by a selection panel, which shall normally consist of the Head of School/Department and a member of HR. Where necessary, and to ensure that decisions are as objectively based as possible, further assessment processes (e.g. work sample) may be used.

- 9.7.5 Selection interviews will be held for those posts where employees are eligible for prior consideration within the existing College / School / Department as part of the restructuring process.
- 9.7.6 On completion of the round of selection interviews the interviewees will be informed of the outcome.
- 9.8 **Stage 6 – Unplaced Staff**
- 9.8.1 Employees who are unsuccessful in the selection interviews will be identified as ‘unplaced staff’ and be placed on the Redeployment Register. Voluntary Redundancy may be discussed with the unplaced staff at this stage.
- 9.8.2 Employees identified as unplaced staff will be given written notice in accordance with the terms and conditions of their contract of employment, or statutory notice, whichever is longer and their employment will end by reason of redundancy upon the expiry of that notice period. Staff members will remain on the Redeployment register throughout their notice period.
- 9.8.3 The notice letter will include:
- a description of the selection process used;
 - details of their employment rights and their right to appeal, the timescale and how to do so;
 - details of when the dismissal will take place;
 - details of any redundancy payments that will be made to them.

10 Redeployment

- 10.1 If suitable alternative employment is available in another college or department, following the selection process, the employee who might otherwise be potentially ‘at risk’ or actually declared redundant may be offered redeployment in accordance with the University’s Redeployment Policy. The Redeployment Policy seeks to ensure that eligible staff are assisted to obtain suitable alternative posts within the University.

11 Impact on Pay

- 11.1 Where staff have not been able to secure a role at their existing grade but are offered and accept a lower graded role (usually one grade difference), their salary will be protected for a period of 2 years.
- 11.2 Staff appointed to a higher graded role will receive the appropriate salary for that role from the date that they take up full duties.
- 11.3 If an employee does not accept a lower or higher graded role, and is not able to secure a position at the same grade as their existing grade, they may be dismissed by reason of redundancy if there are no suitable

alternative vacancies for them. During the redundancy process the employee will continue to be considered for redeployment, and will be entitled to remain on the redeployment register throughout the notice period.

12 Redundancy Support Measures

- 12.1 In facilitating redundancy support measures, the Chief People Officer will:
- ensure that all employees will be offered reasonable facilities to receive advice and support from relevant sources;
 - ensure that a representative of the HR Department is available to meet, either collectively or individually, the employees affected with a view to advising on any matters in respect of the termination of his/her employment;
 - ensure, in conjunction with the Pro Vice Chancellors / Heads of College, Directors, and Heads of Department, that employees are allowed a reasonable amount of time off with pay (regardless of length of service) to attend initiatives associated with looking for alternative work;
 - consider using internal services (e.g Staff Development within Human Resources) and/or external services (e.g outplacement agency or the Employment Service) to improve the employment potential of employees affected by redundancy, through such provision as careers advice/counselling, CV writing skills, interviewing skills. Additionally, pensions guidance will be offered via the University Pensions Officer.
- 12.2 The University is committed to providing effective redundancy support and will consult with the Trade Union(s) upon the range of measures which can be taken in the context of each redundancy proposal. Within the range of measures available, employees will receive support tailored to their needs.
- 12.3 Staff eligible for redundancy support will be those whose posts have been proposed as redundant or those who have received formal notice of redundancy.

13 Financial arrangements

- 13.1 Employees whose roles are being made redundant will usually be required to continue to work up to the date on which their formal notice expires. Where a member of staff wishes to leave before the end of their notice period, consideration will be given to the circumstances and permission will not be withheld without good reason. If an employee leaves prematurely without the University's permission, they may forfeit their entitlement to a redundancy payment or payment in lieu of notice.
- 13.2 In cases of compulsory redundancy, the scale of entitlement will be calculated on the basis of statutory provisions only. The University may offer enhanced redundancy terms and payments at its discretion. Any

enhanced redundancy payment will be deemed to include statutory redundancy pay.

- 13.3 For the purpose of calculating the redundancy payment, pay is defined as at the date of termination, and in accordance with the limits of the statutory redundancy payment schedule applicable at that time. Where the pay fluctuates because of variable hours worked, the redundancy payment will be calculated at the time of issuing notice, and in accordance with legislative requirements.
- 13.4 Holiday entitlement will accrue up to the end of the notice period and will normally be taken prior to the expiry of notice.

14. Appeals

- 14.1 Employees have the right to one appeal, which is against the notice of redundancy decision. The University's goal is for this policy to be applied as fairly as possible.
- 14.2 The University wishes that any concerns that employees may have about the application of this policy can be properly considered and resolved promptly and informally with the designated HR representative or their line manager
- 14.3 The employee's notice of redundancy letter will include details of the arrangements to follow should the staff member decide to appeal (against the notice of a redundancy decision), e.g. to whom to appeal.
- 14.4 An employee who wishes to appeal against their selection for redundancy may submit an appeal in writing, setting out the grounds of appeal, within 10 working days of receipt of their formal notice of redundancy letter.
- 14.5 Should the employee require additional time to submit an appeal, they may make a request for a reasonable extension of time. This request must be made within the 10 day time-frame. Any such request for an extension of time will be granted at the discretion of the University.
- 14.6 The appeal must be communicated in writing, stating the grounds upon which the appeal is made.
- 14.7 The University will, as far as reasonably practical, seek to hear the appeal within 28 working days of receipt of the submitted appeal. The employee will be informed in writing of the time, date and venue for the appeal hearing no later than 7 working days in advance of the appeal hearing. Employees will also be advised of their right to be accompanied at the hearing.
- 14.8 The appeal chair will be a lay member of the University Council, and a Senior member of staff at the University with no previous involvement in the case and who is no less senior than the individual who reached the original decision. A member of the Human Resources Department will

support the meeting. The appeal panel will have the power to reverse or confirm the redundancy decision.

- 14.9 The manager who made the original redundancy decision may be required to explain the decision either at the appeal hearing or in writing.
- 14.10 As the purpose of the appeal is not a reconsideration of all matters, it is the responsibility of the staff member to state their case and bring to the attention of the appeal chair all relevant documentary evidence that should be considered.
- 14.11 An appeal will not prevent or delay the termination of the staff member's appointment but if the outcome of the appeal overturns the termination then the employee will be reinstated and paid any back pay. Where an appeal against dismissal fails, the redundancy termination date will be as set out in the formal notice of redundancy.
- 14.12 The staff member will be informed in writing of the appeal outcome, usually within 10 working days of the appeal meeting. If the timescales are to be longer, this will be communicated to the employee. The decision is final within the procedures of the University and will conclude the process.

15 Miscellaneous

- 15.1 Employees dismissed under the University's Disciplinary Procedure whilst under notice of redundancy will forfeit any entitlement to a redundancy payment, regardless of whether the redundancy was to be voluntary or compulsory.
- 15.2 Where the employee whose role is being made redundant is recognised by the University as an Officer or Official of a recognised Trade Union, the University will notify the regional office of that Trade Union.

16 Policy Review

- 16.1 This Policy and Procedure will be reviewed 12 months from implementation, and then at regular intervals of not less than three years and will at all times be read and applied subject to the general law. All reviews will be undertaken in consultation with the recognised campus Trade Unions and any changes agreed with them, prior to approval from the University Council.

17 Equality Impact Assessment

- 17.1 An Equality Impact Assessment has not been carried out on this Management of Change Policy, as an Equality Impact Assessment would be carried out on any change programme that is carried out within the scope of this policy.