

ARRANGEMENTS FOR A REDUNDANCY COMMITTEE TO CONSIDER THE POSSIBLE TERMINATION OF OPEN-ENDED, EXTERNALLY FUNDED CONTRACTS

1. The responsibility of a Redundancy Committee is defined in section 11(1) of Statute XII, Part B of the University's Statutes, which says that

"Where Congregation has reached a decision under section 10(2)," (i.e. a decision that it is desirable that there should be a reduction in the academic [and academic-related] staff) "the appropriate body" (i.e. the University's Council) "shall appoint a Redundancy Committee to give effect to that decision by such date as the appropriate body may specify, and for that purpose:

(a) to select and recommend the requisite members of the academic [and academic-related] staff for dismissal by reason of redundancy; and

(b) to report its recommendations to the appropriate body."

Section 11(2) of the Statute further specifies that "The appropriate body shall either approve any selection recommendation made [by the Redundancy Committee], or shall remit it to the Redundancy Committee for further consideration in accordance with its further directions."

2. The University's Statutes (section 6 of Statute XII, Part A) say that a dismissal is by reason of redundancy "if it is attributable wholly or mainly to

(a) the fact that the University has ceased, or intends to cease, to carry on the activity for the purposes of which the person concerned was appointed or employed by the University, or has ceased, or intends to cease, to carry on that activity in the place in which the person concerned worked; or

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

This is based on the definition of redundancy contained in the Employment Rights Act 1996.

3. In accordance with the decision of Congregation dated 20 May 2003, Council has appointed a Redundancy Committee specifically and solely to deal, as and when necessary, with situations where the member(s) of staff affected are employed on an open-ended, externally funded contract and it is proposed that their employment should be terminated on grounds of redundancy.

4. The membership of the Redundancy Committee will comprise a chairman and four members of Congregation nominated by Council, including not less than two members of the academic staff. The Redundancy Committee will be supported by Personnel Services and will meet as and when required.

5. The procedure to be adopted by the Redundancy Committee will be as follows.

(a) The Redundancy Committee will only consider formal proposals forwarded by Divisional Boards or other appropriate authorities.

(b) The formal proposals should be submitted in the first instance to the Head of Personnel Services, who will forward a copy to the University and College Union (UCU) joint secretary.

(c) All proposals submitted to the Redundancy Committee must contain the following information:

- An explanation, with supporting evidence, of why there is a need for redundancy, i.e. showing that the source of funding for a particular activity is due to diminish or cease, that there is no alternative source of funding (either internal or external) to support the continuation of that activity, and that it is not possible to redeploy all the relevant staff who are currently involved in that activity
- Details of the areas of activity affected and the numbers and descriptions of posts on open-ended terminable contracts in those areas ("the pool"), including job title, grade, hours of work, job description, reporting structure; also current source of funding and a copy of any relevant research contract(s)
- Details of the proposed selection criteria that the Redundancy Committee should consider, where it is not proposed to make all staff in the pool redundant
- Details of the post holder(s) of all posts included in the pool, including name, gender, age, start date and length of service in current post, start date and length of continuous service with the University (if different), copy of CV
- Information on measures taken to try to avoid compulsory redundancy (e.g. efforts to seek redeployment and/or to achieve the necessary reductions in staffing through voluntary redundancy), including copies of correspondence, notes of meetings, etc.
- An impact assessment reporting the effect of the proposals on the gender and ethnic composition of the staff group(s) affected
- Information on consultation with affected individual(s) and employee representatives, including copies of correspondence, notes of meetings, etc.

(d) The Redundancy Committee will consider whether

- the proposal is based on objectively verifiable grounds which are covered by the University's definition of redundancy
- the pool has been appropriately defined and, if not, whether the proposal could fall outside the detailed arrangements for the Redundancy Committee contained in this document
- the selection criteria proposed are appropriate to the circumstances, are objectively justifiable, and are fair and reasonable
- any disproportionate impact on women or men or on employees of different ethnicities is justifiable
- all appropriate options have been pursued to avoid compulsory redundancy, in particular efforts to seek redeployment where this is desired by the affected individual(s), and/or to achieve the necessary reductions in staffing through voluntary redundancy
- there has been appropriate consultation at departmental and/or divisional level with the affected individual(s) and with their representatives, with a view to avoiding compulsory redundancy

- all relevant requirements under current employment legislation, including the obligation to avoid unlawful discrimination, have been met.
- If, in the opinion of the Redundancy Committee, one or more of these conditions are not satisfied, the Redundancy Committee will return the proposal to the originating division or appropriate authority for further consideration.

(e) The Redundancy Committee will also consider any representations from the relevant trade union(s) and/or from the individual(s) directly affected by the proposals.

(f) Having taken all the above matters into account, the Redundancy Committee will review the staff affected against the relevant selection criteria and will thereby select and recommend the required members of staff for dismissal by reason of redundancy. Appropriate records will be kept.

(g) The Redundancy Committee will report its recommendations to Council, which will either accept any recommendation made under this procedure, or remit it to the Redundancy Committee for further consideration in accordance with its further directions.

6. Once a recommendation has been accepted by Council, the division or other appropriate authority will be notified and Council may authorise the relevant Head of Department to issue a notice of redundancy, which will contain the information specified in section 12(3) of Statute XII, Part B. The Redundancy Committee will ensure that appropriate information is communicated, through Personnel Services, to the joint secretary of the UCU.