

# UNIVERSITY OF ABERDEEN

## POLICY AND PROCEDURE FOR THE MANAGEMENT OF DISMISSAL ON THE GROUNDS OF REDUNDANCY

### 1. INTRODUCTION

1.1 It is the University's intention to provide a stable working environment and security of employment for all staff. However, when circumstances arise that necessitate reductions in staffing levels, the University, in consultation with the appropriate campus Trade Union(s), will seek to avoid, minimise and/or mitigate the impact of compulsory redundancies.

1.2 This document must be read in conjunction with the Restructuring Policy and Procedure and the Consultation on Avoidance of Redundancy Policy available at (<https://www.abdn.ac.uk/staffnet/documents/policy-zone-employment/Consultation-on-Avoidance-of-Redundancy-Policy.pdf>)

### 2. SCOPE

2.1 This Policy and Procedure applies to all members of staff employed by the University of Aberdeen.

2.2 Certain members of staff may be afforded additional protections under the Ordinance of the University Court of the University of Aberdeen No. 142 [Employment] and in line with the Further and Higher Education (Scotland) Act 2005. These individuals are referred to as "Relevant Persons" within this Procedure.

### 3. GENERAL PRINCIPLES

3.1 The University recognises the need to keep Campus Trade Unions informed as fully as possible about staffing requirements and any need for redundancies.

3.2 The University's agreed consultation procedures are detailed within the Consultation on Avoidance of Redundancy Policy. All information relating to recommendations for dismissal for reason of redundancy must be treated as confidential and processed accordingly. A Relevant Person will not be dismissed for reason of redundancy without the involvement of another Relevant Person in the decision making process. In accordance with the University's commitment to equality and diversity, decisions taken in relation to dismissals on the grounds of redundancy will be consistent with the principles outlined in the Equal Opportunities Policy.

### 4. MANAGEMENT OF REDUNDANCY PROCEDURE

#### 4.1 Consultation

The collective and individual consultation processes outlined in the Consultation of Avoidance of Redundancy Policy will apply in a redundancy situation. No individual will be dismissed on the grounds of redundancy without having first been provided with the opportunity to engage in the consultation process.

#### 4.2 Scope of redundancy pools

As outlined in Appendix A of the Consultation on Avoidance of Redundancy Policy, it is acknowledged that it is the policy of our recognised Campus Trades Unions not to enter into agreement on the scope of redundancy pools or the selection of staff for dismissal. The

University will adopt a position of containing the redundancy pool within the smallest appropriate unit of the University.

#### **4.3 Individual employees**

There will be occasions when the jobs of individual members of staff are at risk of redundancy e.g. the position can be no longer financially supported; research/work in a particular area diminishes or ceases, or where an individual position is no longer needed. Such cases will be managed in accordance with the Consultation on Avoidance of Redundancy Policy.

#### **4.4 Redundancy Selection Pools**

In certain circumstances it may be necessary for a redundancy selection pool to be identified and selection criteria to be applied to determine which member(s) of staff should be selected for redundancy. This may occur when several members of staff have the same skills or do the same job in the same School/Section. If such circumstances occur, fair and transparent selection criteria will be communicated to the relevant trade union and used to determine which member(s) of staff should be selected for redundancy. Selection criteria will be objective and applied in an independent way.

#### **4.5 Recommendation for Dismissal**

If the consultation process has not resulted in suitable alternative employment or another appropriate course of action being identified, the Head of School/Section (or nominated deputy) will make recommendation(s) for dismissal on the grounds of redundancy to the Redundancy Dismissal Panel.

The case for dismissal will include the following information: the reason for the individual(s) being identified as at risk of redundancy, details of the consultation process undertaken, steps taken to mitigate the impact of the proposed dismissal, including details of the support provided to the individual(s), and the reason for the individual being selected for redundancy.

The individual(s) will be provided with a copy of the information being presented to the Redundancy Dismissal Panel and they will have the opportunity to make a written representation to the Panel. The Convener has the discretion to invite the individual(s) to attend the meeting of the Redundancy Dismissal Panel in person should the Convener deem it appropriate.

#### **4.6 Consideration of Recommendations for Dismissal**

An internal Redundancy Dismissal Panel will be convened to hear and determine each case for dismissal. The Redundancy Dismissal Panel shall act on behalf of the University Court and will report its decisions to the University Court on a regular basis. The composition of the Redundancy Dismissal Panel shall be: a Vice Principal (Convenor) and; one other member of staff at the level of Head of School/Section

In addition, the Convenor shall have the discretion to invite one additional member of staff to assist in the decision-making of any cases presented for dismissal.

The Panel meetings will be clerked by a member of staff from the Human Resources Section, who will notify the member of staff of the Panel's decision in writing within three working days of the meeting.

When considering recommendations for dismissal on the grounds of redundancy of a Relevant Person, the Redundancy Dismissal Panel will comprise at least one Relevant Person not being the person subject to the redundancy.

In all cases, the membership of the Redundancy Dismissal Panel shall exclude any person connected with the case.

#### **4.7 Notices of Intended Dismissal**

Individuals dismissed on grounds of redundancy will be notified of the decision in writing. The notice of redundancy will include the following information;

- A summary of the reason(s) for the dismissal
- The date the dismissal will take effect
- Subject to eligibility of the individual, the calculation of any intended redundancy payment
- The procedure for appealing the decision

#### **4.8 Period of Notice**

The period of notice provided in redundancy situations will be in accordance with the individual's contract of employment, or the provision laid down by legislation, whichever gives the greater period of notice and may include payment in lieu of notice.

### **5. APPEALS**

A member of staff has the right of appeal against her/his dismissal on the grounds of redundancy. Notification of an intention to appeal against the dismissal must be made in writing within 5 working days from the date of issue of the decision. The detailed grounds of the appeal should be lodged within 10 working days from the date of the original intimation of intention to appeal.

All appeals will be held in line with the University's Policy and Procedure for Hearing an Appeal which is available at:

<https://www.abdn.ac.uk/staffnet/documents/policy-zone-employment/AppealProcedure.pdf>

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