

THE REDUNDANCY PANEL

Arrangements for support staff to appeal against decisions to dismiss on grounds of redundancy

Appeals by a support staff employee against dismissal on grounds of redundancy will be heard by a Redundancy Panel.

Notification procedure

Appeals against decisions to dismiss on the grounds of redundancy must be notified in writing to the Director of Human Resources within 10 working days of notice being issued. The appellant should specify in writing their grounds for appeal, and the reasons why they are dissatisfied with the outcome at department or divisional level.

The Director of Human Resources will advise the Head of Department or Division as appropriate and make arrangements for the servicing of the appeal by an HR Business Partner (HRBP).

Redundancy Panel

Appeals notified in respect of decisions to dismiss on the grounds of redundancy will be heard by a panel consisting of three members of senior staff, with a balance of role types. One, if appropriate, may have experience relevant to the case being heard. The panel members will be eligible for membership of Congregation, external to the department concerned, not party to the decision to serve notice of dismissal that forms the subject of the appeal, and nominated by the Director of Human Resources. One will be asked to act as chair.

Single equality duty

The University has been mindful of the single equality duty during the formation of its overarching redundancy arrangements. The redundancy appeal panel will have due regard to the need to avoid discrimination in relation to all of the protected groups, under the Equality Act 2010, in determining redundancy appeals.

Appeal hearing

In all cases, every effort will be made to hear appeals before the date on which the individual's employment is due to end and all parties concerned should receive adequate notice, normally 5 days, of the hearing.

Employment will not be extended to hear the appeal. If it has not been possible to hear the appeal before the date of the dismissal, an employee whose appeal is successful will be reinstated with full continuity of service and no loss of pay or other employment benefits. The employee will be required to return any payment made in respect of any termination of employment.

The employee may invite a union representative or a full time officer of the employee's trade union (if they are a member) or a colleague, from within the University, to accompany them to the appeal hearing. The employee should advise the HRBP servicing the appeal hearing of the person who will accompany them, in good time before the hearing. The representative from the department or division may also be accompanied by a colleague from within the University.

Information required by the redundancy appeal panel

On receipt of an appeal against dismissal on grounds of redundancy, the chair will consider the grounds of the appeal, and may, if appropriate, request specific information from the department or

division for consideration by the panel. The chair will determine what information should be provided. This could contain any of the following information:

- An explanation, with supporting evidence, of why there is a need for redundancy, i.e. showing that there is a need for a particular activity to diminish or cease;
- A note from the divisional office or equivalent confirming support for the explanation and the department's proposals for redundancies;
- Details of the areas of activity and the numbers and descriptions of support staff posts affected in those areas ("the pool"), including job title, grade, hours of work, job description, reporting structure and current source of funding;
- Details of the selection criteria used by the department in reaching its decision in cases where selection has been necessary;
- 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);
- Information on measures taken to try to avoid compulsory redundancy (e.g. efforts to seek redeployment, within the department, division, or University, and/or to achieve the necessary reductions in staffing through voluntary severance, including 'bump' severance);
- Information on consultation with affected individual(s) and employee representatives.

Consideration by the redundancy appeal panel

The panel will consider any of the following issues that are raised in the grounds of appeal:

- The proposed dismissal is based on objectively verifiable grounds which are covered by the University's definition of redundancy, and is supported by the divisional office or equivalent;
- The pool has been appropriately defined;
- The selection criteria used were appropriate to the circumstances, objectively justifiable, and fair and reasonable;
- Any disproportionate impact on women or men, on disabled employees, on employees of different ethnicities, or on employees of differing age groups, 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 severance, including 'bump' severance;
- There has been appropriate consultation at departmental level with the affected individual(s) with a view to avoiding compulsory redundancy; and
- All relevant requirements under current employment legislation, including the obligation to avoid unlawful discrimination, have been met.

The redundancy appeal panel will also consider any written representations from the relevant trade union(s) in addition to those submitted by the appellant(s).

Judgement by the redundancy appeal panel

If, in the opinion of the redundancy appeal panel, the appeal should be upheld, the dismissal will be overturned, or put on hold while the department addresses the issues that have been identified.

If, exceptionally, it has not been possible to hear the appeal before the date of the dismissal, an employee whose appeal is successful will be reinstated and the period between the termination date and the date on which the employee is taken back into employment will be treated for all purposes as continuous service. The employee will be entitled to be paid at their normal basic rate for that period, which will also qualify for calculation of annual leave and other benefits dependent on continuous employment. The employee will be required to return any payment made in respect of termination of employment.

Where the redundancy appeal panel confirms the department's decision to dismiss an appellant on grounds of redundancy, the employee and the head of department will be notified that the dismissal is confirmed.

Outcome

The outcome of the appeal will be notified in writing to the department or the division concerned and to the appellant as soon as possible and normally within 10 working days of the hearing.

The decision of the appeal panel is final and there shall be no further appeal within the University.