

CHANGE MANAGEMENT POLICY AND PROCEDURE

This Change Management Policy and Procedure contains guidance to managers and staff who are involved in the development and implementation of changes in working arrangements and practices and managing redundancy, including the ending of fixed term employment contracts. The information in the document is set out as follows:

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Introduction

The guidance and change principles set out in this policy document apply to all groups of staff with the exception of academic staff who are governed by the procedures set out in the Annexes to the Appendix to the Ordinances which are available on the [Central Secretariat webpage](#).

It is university policy to ensure, as far as possible, security of employment for its staff during periods of change. It is recognised that there may be changes in organisational requirements that may affect staffing needs. These changes may require alterations to job requirements and possibly a reduction of posts. It is the university's intention, in consultation with the Trades Unions, and so far as is reasonably practicable, to achieve these changes without the need for compulsory redundancies.

This policy and procedure reflects this commitment and provides a framework for managing change effectively, fairly and consistently, through planning, consultation, and communication and in accordance with established good practice and employment legislation and with full regard to the university's Equal Opportunities Policy.

Support: Imperial recognises that organisational change can be stressful and offers wellbeing support via [Confidential Care](#), the university's Employee Assistance Programme. The staff counselling team can be contacted by email at assist@cicwellbeing.com or by telephone on 0800 085 4764.

Staff who are experiencing stress are encouraged to utilise Imperial's Occupational Health [Workplace Stressor Tool](#) and to inform their line manager, or where helpful the [People Partnering Team](#). Staff may find it helpful to refer to the [Workplace Stress and Wellbeing webpage](#) and explore the links to further resources below:

- [Occupational Health Service](#) (for support with active health/medical conditions)
- [Equality, Diversity and Inclusion Centre \(EDIC\)](#) (for support with implementing workplace adjustments)
- [Joint Trade Union Representatives](#)
- [Confidential Care](#)

Equality and Diversity

The university treats equality of opportunity seriously and has an equality framework that is applicable to staff in order to promote and ensure equality of opportunity. Implementation of this procedure must be clear and transparent and not subject to any unfair discriminatory practices.

Staff are expected to undertake their role in line with the Imperial Values and Behaviours. The university's [Values](#) are at the very centre of our work and guide our behaviour as a community, across all levels of the university. This policy aims to protect and promote our Values of Respect, Collaboration, Excellence, Integrity and Innovation.

Line managers and supervisors are required to familiarise and understand this procedure.

Purpose of procedure and overview

Imperial managers must continually review staffing requirements in the light of current or future changes in service needs as a means of ensuring that the staffing structures and skill sets are appropriate, and as a basis for maintaining the highest standards of excellence.

A review of service requirements may result in the need to change existing structures and functions and, in certain circumstances, may impact on the number and type of staff required in particular areas of work. Line managers should review their area of responsibility regularly to ensure that they are meeting the needs of the university as effectively as possible:

- Where there are relatively minor changes to working practices then line managers may implement adjustments to duties in accordance with the best practice guidance set out in **Section A**.

- Where there is an organisational restructure that may result in significant job change and/or redundancies then the process in **Section B** should be followed.
- The arrangements for managing the consultation and the ending of a fixed term employment contract due to redundancy are set out in **Section C**.

Section A: Managing minor change

It is recognised that in order to meet changing business needs more effectively; there may be occasions where managers need to implement relatively minor changes to working practices. Reasonable minor changes and adjustments to duties and working practices may be implemented without recourse to the formal procedures in this document. Examples of minor changes are implementation of different methods of carrying out tasks, introduction of new technology, changes in duties within the remit of the post. As a guide a minor change may be deemed as a change of less than 20% of expected delivery of role. Minor change does not apply to any case leading to redundancy for either a permanent or fixed term member of staff.

While formal consultation is not required for minor change, staff should still be consulted about changes that have an impact on their work. Managers should meet with staff either individually or collectively to explain the reasons for the need to implement any minor changes and to ask for views before implementation. Staff may wish to be accompanied by a Trades Union representative or colleague at a meeting to discuss changes to duties and working practices and this should be permitted. Under exceptional circumstances the manager and Human Resources representative will consider requests for accompaniment by a relative or friend, this individual must not be a legal representative. This does not negate the right of a manager to meet with a member of staff, on a one to one basis, to discuss day to day working issues.

Training and coaching advice is available from Learning and Development Centre to assist any member of staff to acquire new skills that they may require such as adapting to new technology.

Managers should seek advice from their Strategic HR Partner when reviewing minor changes that will have an impact on their staff. Proposed changes to line management should also be discussed with HR, ideally prior to consultation commencing, to identify if Sections A or B of this procedure should be used.

Section B: Managing change due to organisational restructure

Managers considering organisational change that may impact on staff must gather information to support the need for change and prepare a business case with input from Human Resources.

Managers should demonstrate that they have considered alternative measures which could produce some flexibility in the management of staff expenditure or could serve to minimise staff redundancies.

The business case will contain the following details:

- a) The current position including staffing structure;
- b) The need for change and the rationale behind the change;
- c) All financial information required to justify the need for change;
- d) The impact of not changing;
- e) The options that have been considered;
- f) The proposals for change (including the proposed staffing structure and how it will operate [i.e. with less staff or changed roles] if envisaged prior to consultation);
- g) The benefits of these proposals;
- h) The financial and staffing implications of the proposals, (including if known any potential redundancy and early retirement funding costs implications);
- i) The number and grades of staff who are at risk of redundancy as a result of the proposals;
- j) The total number of staff of that grade within the area and within the university;
- k) The measures to be taken to avoid potential redundancies that should be explored both prior and during a change exercise may include;
 - Natural turnover;
 - Voluntary accelerated turnover payments, where it will meet operational needs;
 - transfer of cost of appointments wholly or in part to external funds;
 - Redeployment and training including to other parts of Imperial university;
 - Consideration of freezing external recruitment;
 - Voluntary job sharing;
 - Voluntary part-time work;
 - Voluntary purchase of additional annual leave entitlement;
 - Voluntary unpaid sabbatical leave for personal refreshment;
 - Voluntary early retirement or voluntary redundancy where it will meet operational needs;
 - Savings in non-staff budget;
 - Other measures to make savings if the reason for the restructure is purely financial rather than changing needs of the organisation;
 - Explore alternative funding.
- l) ²The proposed method of selecting the staff at risk of redundancy;
- m) The formula for calculating redundancy payments and any protected pay arrangements – see Appendices 1 and 2;

- n) Details of the proposed consultation timescale, schedule of meetings and proposed timescale for implementation of the revised structure.

²**Selection criteria** - will be relevant, non-discriminatory and capable of objective verification, wherever possible based on the skills and competency requirements of any new posts. Other criteria may include performance; attendance (not including time away for reasons of pregnancy, maternity leave or trades union duties); cost of severance; length of service. The university will consult with a view to reaching agreement on the criteria to be used in the selection of staff and the method of applying the criteria.

Stage 2 – Staff Consultation

It is a legal requirement and university policy that there should be appropriate consultation with staff and Trades Unions to gather views and comments as a basis for informing management decision making. Prior to the commencement of consultation the university will inform the Department of Business, Innovation & Skills (BIS) of its intention to consult with staff.

Consultation will be commenced at the earliest opportunity and will continue for a period no less than the statutory time scales.

- Where **100 or more** redundancies are proposed (at one establishment) within a 90-day period, prior to 6 April 2013 consultation should commence **at least 90 days** before the first redundancy takes effect.
- Where **100 or more** redundancies (excluding fixed term contracts and open-ended contracts with fixed funding which terminate on their expiry date) are proposed (at one establishment) within a 90-day period, after 6 April 2013 consultation should commence **at least 45 days** before the first redundancy takes effect.
- Where **20 – 99** redundancies are proposed consultation should commence **at least 30 days** before the first redundancy takes effect.
- Where there **are less than 20** redundancies proposed then reasonable time for meaningful consultation will be given. This would normally commence at least 30 days before the first redundancy takes effect.

The purpose of the formal consultation meeting(s) with staff and Trades Unions will be:

- (i) To receive and where possible address any questions on the proposals for change;
- (ii) To consider any comments or views on the change proposals as a basis for determining any final decision to proceed or otherwise;
- (iii) To seek to agree change principles, procedures and communication (including formal notification of change processes) specific to the change exercise under discussion.

Each member of staff whose role may be affected by the change, and each Trades Union, will be provided with a copy of the business case. Staff who are absent from work (due to maternity, sickness or other leave) will be sent a copy of the business case to their home address in order that they can participate in the consultation process. In

addition, a copy of the business case will also be forwarded to the Union Regional Officers as appropriate, at the following addresses:

UCU: Amanda Sackur
Regional Office
University and College Union
Carlow Street
London NW1 7LH
asackur@ucu.org.uk

Local Representative: Vijay Tymms
v.tymms@imperial.ac.uk

UNITE: Ailsa Levvy
Ailsa.Levvy@unitetheunion.org

Local Representatives: Antonio Mateiro
a.mateiro@imperial.ac.uk

UNISON: UNISON Centre
Greater London Region
130 Euston Road
London
NW1 2AY
unison@imperial.ac.uk

Local Representative: Tanya Hunt
t.hunt@imperial.ac.uk

All members of staff will be offered the opportunity of individual meetings with the Faculty/Divisional representative and/or the Human Resources representative. Staff may be accompanied by a Trades Union representative or colleague at individual meetings. Under exceptional circumstances the manager and Human Resources representative will consider requests for accompaniment by a relative or friend, this individual must not be a legal representative. The purpose of these meetings will be to give the member of staff the opportunity to put forward their views on the proposed change. If at the end of the consultation period a decision is made to proceed with the change, staff will be offered the opportunity of further meetings to discuss the impact of the change on their individual role.

During the consultation period the need for change (Business Case) will be discussed and alternative proposals and comments will be sought. Consultation will be meaningful and with a view to reaching agreement on the way forward. The department will provide information that is necessary for all affected staff and Trades Unions to make an informed contribution to the consultation process. Staff and Trades Union representatives may request additional information or an extension of time if this is necessary to enable them to understand and contribute to an informed discussion on the

merits of the proposals. Consideration will be given to these requests and where these cannot be accommodated, reasons will be given in writing. Regular updates and frequently asked questions may be circulated to staff throughout the formal consultation period.

Stage 3 - Decision to proceed

At the end of the consultation period the Head of Department/ Division, in conjunction with the Faculty Dean or equivalent, will consider all comments and make a decision on the way forward.

If the decision is to proceed with a change to the current structure, the reasons for the decision will be confirmed in writing to the staff and Trades Unions.

All staff affected by the change and the relevant Trades Unions should be notified of any decision to proceed and confirmation of the change procedures to follow.

Where a member of staff is affected by the decision to proceed she or he will receive details of the process to move from the current structure to the new structure. This will include:

- a) The arrangements for matching the same or substantially the same post in the new structure;
- b) The terms and conditions of the same or substantially the same post in the new structure;
- c) The selection arrangements where staff will be considered for 'different' posts, or where there is a diminishing number of 'same' posts;
- d) Possible time scales and arrangements for further individual consultation meetings;
- e) Arrangements for seeking alternative work;
- f) Invitations for voluntary severance if applicable;
- g) Arrangements for avoiding compulsory redundancies including reference to the university's salary protection scheme – Appendix 2
- h) Assistance to be given to staff likely to be declared redundant including career counselling and reasonable time off to be given to seek other employment or undertake training.

Redeployment; Suitable and Alternative Employment; Training, Trial Period and Severance

Where a member of staff is at risk of redundancy the university has a legal obligation to review redeployment opportunities and offer 'suitable alternative' and/or 'alternative' employment within the university wherever possible.

- a) Suitable alternative employment

Suitable alternative employment is work within the university that is on broadly the same terms and within the same capacity as the current employment.

If a member of staff is at risk of redundancy, s/he will be given priority consideration for any posts identified as 'suitable alternate' in line with their skills, experience and

capabilities. In such cases, the suitability of the member of staff shall be considered by the recruitment panel in advance of advertising the post. Where the recruitment panel considers that a member of staff meets the minimum criteria for the post, a guaranteed interview shall be conducted in advance of advertising the post. Where, at the interview, the member of staff demonstrates that they fully meet the requirements of the post, it is expected that they shall normally be appointed to the post.

Where a member of staff, put forward for priority consideration, is not considered to meet the essential criteria for the post and therefore is not selected for a priority interview, or is not successful at the interview, they will be given feedback.

If more than one member of staff at risk of redundancy is potentially suitable for a position then, a competitive interview may take place or voluntary severance options may be explored with one or more candidate.

In the event that a post is already advertised within the university then the member of staff at risk of redundancy should be given priority consideration for suitability for redeployment above external candidates or internal candidates who are not at risk of redundancy.

There is a statutory obligation on behalf of an employer to offer suitable alternative employment, if it is available, to avoid redundancy. If a member of staff unreasonably, based on an HR review of the change requirements, refuses an offer of 'suitable alternative' employment they will be deemed to have resigned from university employment and therefore forfeit the right to a statutory redundancy payment.

b) Alternative employment

Alternative employment is work that may be available within the university but on different terms or within a different capacity to the current position and grade. There is no statutory obligation to offer alternative employment on different grades or with significantly different responsibilities but, in a redundancy situation, a member of staff may wish to consider these options. A member of staff is not obliged to accept an 'alternative' offer of employment at a lower grade or on substantially different terms.

Where a member of staff is willing to accept, as suitable or alternative employment, a lower grade post then s/he will be considered for salary protection of pay and benefits under the Salary and Benefits Protection Scheme – Appendix 2.

a) Suitable and Alternative Employment

Where a member of staff is at risk of redundancy the university has a legal obligation to review redeployment opportunities and offer 'suitable alternative' and/or 'alternative' employment within the university wherever possible.

If a member of staff is at risk of redundancy, they will be given priority consideration for any posts identified as 'suitable alternatives' in line with their skills, experience and capabilities.

To ensure access to all vacancies, both those which are currently being advertised on the university's employment website and/or in external publications and those where the closing date has passed but which have not yet been filled, members of staff will be given the opportunity to set up a job alert in the online recruitment system in order to receive vacancies that match their selected preferences. These vacancies will include those appearing on the university's internal only employment website, where the closing date has passed and the assessment process is still ongoing, which are restricted to members of staff at risk of redundancy. Please note that members of staff at risk of redundancy must contact their HR representative before applying for such vacancies in order to be considered. Any applications submitted by other members of staff or external candidates will not be considered.

Applications submitted by a member of staff at risk of redundancy for vacancies which have not yet been filled should be considered by the recruitment panel prior to other candidates and where the recruitment panel considers that a member of staff meets the minimum criteria for the post, the member of staff will be guaranteed an interview. Where, the member of staff demonstrates that they fully meet the requirements of the post at the interview, it is expected in line with legal requirement that they shall normally be appointed to the post.

Following the initial consultation HR can provide assistance in the following areas:

- Financial areas - such as information on redundancy pay. In most cases, queries on pension's issues will be referred directly to the Pensions team for specialist information.
- Skills Analysis - assistance in identifying transferable or marketable skills; this may be referred to the Learning and Development Centre for specialist advice.
- Conducting job searches and providing information on useful resources/contacts – HR can provide staff with an Imperial Job Search Information Pack. Where consultation has commenced, HR will use either a CV or application form to undertake job searches on a weekly basis and potential job matches ("suitable alternative vacancies") will be investigated and forwarded to the member of staff.
- CV preparation/completion of application forms and interview skills if required.

Specialist support can also be sought from the Learning and Development Centre; particularly in relation to Research staff and from Post Doc support team.

b) Training and Trial Period

Where staff have the potential ability but not the immediate experience to undertake particular positions, they will be provided with appropriate skills development opportunities. These opportunities will be provided wherever it is reasonable, practicable and cost effective to provide such training, and where the member of staff demonstrates a capacity and willingness to learn and apply these new skills within an agreed timeframe.

Trial periods are available for staff offered suitable and alternative employment. This period, usually four weeks, is for both the university and the member of staff to assess the suitability of the post as an offer of alternative employment. During the trial period,

the line manager shall meet with the member of staff on a regular basis to review progress and identify any areas where further training or support may be required.

At the end of the trial period, the line manager, and the member of staff, shall confirm to the HR representative whether or not the appointment is regarded as successful. Where the appointment is not confirmed, this must be supported by written reasons from either from party.

Redundancy entitlements are unchanged in the event the trial period does not result in a confirmed post. In circumstances where retraining is required the trial period can be extended.

c)Severance

During a restructure a time limited enhanced severance offer may be made to staff in order to achieve a voluntary solution during the restructure. If this is applicable to the restructure, then notification will be given to staff of the package available and the timescale for applications. Applications will be subject to university approval and acceptance for the scheme will be based on a review of the ongoing skills required by the university and the cost implications of the enhanced severance applications. All offers of enhanced severance will include statutory redundancy payments and will be paid via a settlement agreement. Details of this process will be provided to the applicable staff.

Stage 4 - Notice of Redundancy

Where the consultation process has been exhausted, alternative work or voluntary severance is not agreed, suitable or available then a member of staff will be considered at risk of compulsory redundancy. In the event of compulsory redundancy staff will receive their notice in writing, as determined in the contract of employment, and the redundancy payments detailed in Appendix 1.

A member of staff whose employment terminates on the grounds of redundancy will be notified of this in writing with confirmation of the leaving date (based on contractual requirements) and eligibility for redundancy pay in accordance with Appendix 1. Staff will also be given the right of appeal. The arrangements for an appeal hearing are in accordance with those prescribed in Stage 5 below.

Assistance will be offered to staff declared redundant. This could include career counselling or outplacement support. Members of staff will also be entitled to reasonable paid time off to seek other employment or undertake training. Requests for time off in these circumstances must be approved by the appropriate line manager, not unreasonably denied, although managers will take operational circumstances into account in considering such requests. Staff will also remain on the redeployment register until the end of their notice period.

Stage 5 - Right of appeal

In the event that compulsory redundancy is unavoidable, the member of staff will be given an individual right of appeal. Appeals must be lodged within ten working days of receipt of notice of redundancy. Appeals will be based only against the selection of an individual for redundancy, not against the decision to restructure. Appeals against

dismissal will be heard by a university Panel consisting of three senior members of staff not previously involved in the case.

The terms of reference for the appeal panel will be as follows:

- To review whether the selection for redundancy was adequately reviewed and substantiated;
- To review whether the redundancy and change procedures were correctly and fairly implemented.

The appeal will be conducted in accordance with the standard format for appeal hearings against termination of employment.

Section C: Managing the ending of fixed term employment contracts

The non-renewal of a fixed term employment contract or termination of an open ended contract underpinned by external funding is a dismissal usually by reason of redundancy. If the dismissal is for reasons of redundancy then a consultation process will need to take place with the member of staff.

Where there is a risk that the fixed term contract of employment or external funding will not continue, the HR Staff Hub will write to the member of staff to start consultation. The purpose of consultation is to understand the details of the change in funding position, which may have a significant impact on the member of staff's duties and/or their continued employment. Members of staff will be encouraged to give their views on the situation. A colleague or representative from the Trades Union may support the members of staff during the consultation process.

The HR Division has prepared detailed [guidance on the management of fixed term contracts and open-ended contracts underpinned by external funds](#), including career management, redeployment and the consultation and review process.

General Notes

This document has been agreed between the Joint Trades Union and the Senior HR Manager (Policy and Service Development). It takes effect from July 2009 and will be reviewed at the date set out in the footnotes.

HR will provide the Trade Unions with monthly reports of (a) forthcoming end dates for fixed term employment contract and (b) confirmation of groups and the number of individual members of staff who have been notified that they are to be included in a rationalisation and change process or that their post is at risk because their funding is due to come to an end.

Glossary of Terms

Minor change	Change of less than 20% of expected delivery of role
Business Case	Document which provides detailed information explaining the need for change.
Statutory Redundancy Payment	The payment you are legally entitled to if you have worked for an employer for the stipulated qualifying period

Appendix 1

IMPERIAL COLLEGE LONDON Redundancy Payments Scheme

Staff will receive statutory redundancy pay. The redundancy payment due to each member of staff under the statutory redundancy payment scheme depends on their age and length of service (subject to a maximum service limit of 20 years). A week's pay is subject to a maximum cap reviewed by the government annually.

Statutory redundancy payments are based on the following formula:

- 0.5 week's pay for each full year of service where age during the year is less than 22
- 1 week's pay for each full year of service where age is 22 or above for the full year, but less than 41
- 1.5 weeks' pay for each full year of service where age is 41 or above for the full year

Staff can calculate their statutory redundancy payment entitlement using the Government's [redundancy calculator](#).

Staff employed on a fixed term contract who previously signed a waiver clause are eligible for enhanced redundancy payments based on protected contractual arrangements. In the event of redundancy, the HR representative will provide details of the enhanced payment to the member of staff.

Enhancement to pension or voluntary severance terms may be offered to staff at the university's discretion based on the circumstances of the restructure. Consideration will be given to cost and productivity savings. The terms of any scheme on offer will be notified during the consultation period and will be subject to an individual signing a settlement agreement.

Staff will also receive the notice specified in their contract of employment. Notice may be paid in lieu at the university's discretion.

The statutory redundancy payment, and any other agreed contractual or discretionary payments, will be paid within 14 days after the termination date.

Appendix 2

IMPERIAL COLLEGE LONDON

Salary and Benefits Protection Scheme

The salary and benefits protection scheme is available as a means of avoiding redundancy during an organisational restructure. The option of protection of earnings and benefits will be considered where alternative employment may be available for a member of staff but on the level below or on different terms to the applicant's current position.

There is no automatic entitlement to protection. Staff may make an application to the scheme at the time consideration is given to selection for alternative work or severance. The decision on whether to apply protection will be made after full consideration of alternative options, organisational effectiveness and cost implications.

A member of staff may receive protection for the periods stated below or until they move of their own volition to a new role within the university or until they leave the university's employment, whichever is the sooner. Protection is conditional on a member of staff giving an undertaking to accept any offer of suitable alternative employment that may subsequently become available on the original higher grade or benefits. Refusal to apply for or accept alternative employment may result in the cessation of protection of pay and benefits.

The salary and benefits protection scheme does not apply to staff who apply for a post on a lower salary/different benefits through open competition, outside of an organisational change situation, nor does it apply to staff in this instance who are part of a consultation process due to the expiry of their fixed term contract.

The university operates three schemes. Staff may be eligible and receive protection under all three schemes if the requirements below are satisfied. Details of the three schemes are provided below:

(i) Grade protection scheme:

A member of staff who is offered alternative employment at a grade lower than his / her current grade, where it is not possible to match the existing salary, will be eligible for salary protection based on the length of their service as follows: -

<u>Service</u>	<u>Salary protection period</u>
Less than two years	3 months
Two years but less than five	9 months
Five years plus	18 months

The member of staff will be placed on the maximum standard pay point of the lower grade and this will be the substantive salary. Payment of grade protection will be listed as a separate pay item and will be on the formula above. The member of staff will receive the cost of living rise applied to the lower grade and any overtime or discretionary performance bonuses. The member of staff will not receive any further incremental points that may have applied to the previous higher grade. Any discretionary increments

or regrading applied to the new grade will be offset against the protected pay. Staff may be required to take on ad-hoc additional duties within the remit of the higher grade while the protected pay period is in operation. Where these additional duties become permanent then the grade of the post will be reviewed to assess whether the responsibilities now fit the criteria for the protected grade.

(ii) Short term protection of benefits

During a rationalisation and change review a member of staff may be offered alternative employment on the same grade but this post may not attract particular working time benefits or allowances that applied to the previous job, for example shift allowance. In these circumstances a member of staff will be eligible for consideration of short-term protection of benefits on the following scale: -

<u>Service</u>	<u>Benefits protection period</u>
Less than two years	3 months
Two years but less than five	6 months
Five years plus	12 months

Any protection of benefits will be offset against any allowances applied to the new post. Where a member of staff is in receipt of protection of benefits relating to working time then they may be required to be available for work under these terms during the protected period. Assessment will be made of any domestic or personal circumstances that may impact on this requirement.

(iii) Travel costs

If a member of staff incurs additional travel expenses as a result of being relocated from one campus to another then the university will reimburse additional expenditure for a period of two years. The reimbursement will be calculated on payment of the difference between the cost of travel from home to the old place of work and home to the new place of work. Receipts will be required, and Inland Revenue rules require that the payment will be subject to tax deduction. The reimbursement only applies when staff are relocated on a compulsory basis and will not apply where staff apply for alternative employment on another campus outside of a rationalisation and change situation.

Funding

The funding of any element of salary protection will be met by the department / division. Where a member of staff is offered suitable alternative employment in another department / division then the original department will fund any salary, benefits or travel protection costs for the protection pay period. This decision will be made on the basis of possible redundancy cost savings that would otherwise have been paid to the member of staff.

The salary and benefits protection scheme is a discretionary scheme currently operated by the university and is not a contractual entitlement. It will be periodically reviewed for effectiveness.

Appendix 3

FREQUENTLY ASKED QUESTIONS

Statutory Redundancy

1. Consultation

- **What information should I be provided with during consultation?**

You will be given sufficient information in writing to allow you to take a useful and constructive role in the process of consultation. This will include:

- The reasons for the proposals
- The numbers and descriptions of employees it is proposed to dismiss as redundant
- The total number of employees of any such description employed by the employer at the establishment in question
- The proposed method of selecting the employees who may be dismissed
- The proposed method of carrying out the dismissals, taking account of any agreed procedure, including the period over which dismissals are to take effect
- The proposed method of calculating any redundancy payments, other than those required by statute, that the employer proposes to make.

- **What will the university do to avoid or minimise redundancy?**

The university will make every effort to reduce the number of possible redundancies through:

- Natural wastage
- Restricting recruitment
- Restricting use of temporary staff
- Training and re-training

- **What selection criteria will be used in selection for redundancy?**

This will be dependent on the situation but may relate to skills, experience and aptitude.

2. Redeployment

- **I have been offered alternative employment but I don't think the job they have offered me is suitable. Do I have to take it?**

The Employment Rights Act 1996 says that alternative work must be the same as, or not substantially different from the previous work. Work would normally be considered unsuitable if it involved changes to pay, significant impact on travelling time, skill requirements or status, but suitability may also depend upon subjective factors personal to you. This would be considered on a case by case basis.

- **What would happen if I refuse a “suitable alternative” position offered?**
Suitable alternative employment is defined as “work within the university that is on broadly the same terms and within the same capacity as the current employment”. If you refuse an offer of suitable alternative work you would be regarded as having resigned and you would lose any right to redundancy pay.
- **What would happen if I was offered an “alternative” position?**
Alternative employment is defined as “work that may be available within the university but on different terms or within a different capacity to the current position and grade”. There is no statutory obligation to offer alternative employment on different grades or with significantly different responsibilities but, in a redundancy situation, a member of staff may wish to consider these options. A member of staff is not obliged to accept an ‘alternative’ offer of employment at a lower grade or on substantially different terms. If you are offered an “alternative position” position at a grade lower than your current grade and where it is not possible to match the existing salary, you may be eligible for salary protection based on your length of service. Please see Appendix 2 of the Redundancy and Change Policy and Procedure for further information.
- **Am I entitled to a trial period with a new job?**
Yes, if you accept a suitable alternative position you are allowed a trial period to see if the work is really suitable. The trial period will normally continue for four weeks but may be extended by agreement in order to retrain. If at the end of that time either you or the university consider the position unsuitable you would be able to claim that you are redundant and still qualify for redundancy pay. If, however, you give up the work or training without adequate reason you will lose your right to payment. An extension of a trial period must be in writing and must specify the date that the trial period ends and terms and conditions of employment that will apply after that date.

3. **Redundancy Pay Conditions**

- **Am I entitled to redundancy payment?**
Yes, if you have worked for the employer for two years or more, you are entitled to a redundancy payment.
- **How long will it be before I can expect my redundancy payment?**
You will be paid within 14 days of the date of termination. If payment is being made via a Settlement Agreement 21 days.
- **How do I claim a payment?**
You do not need to make a claim. You will be informed automatically.
- **Do I pay tax and NI on my redundancy payment?**
There are **NO** deductions on redundancy payments up to £30,000. You will be taxed on any payment above that amount.

- **Do I pay tax on my notice pay?**

You would normally work your notice. If however you are paid in lieu of notice, in relation to statutory redundancy, tax may not be deducted from your notice pay in certain circumstances dependent on your contract of employment. This will be investigated further by HR. If the contract has an agreed date of leaving (fixed term), this will be your notice and you will be taxed.

- **Is the weekly limit for statutory redundancy pay reviewed and is it negotiable?**

The weekly limit for statutory redundancy pay is reviewed by the Government on a yearly basis and is not negotiable.

- **How do statutory redundancy payments relate to age?**

The redundancy payment due to each member of staff under the statutory redundancy payment scheme depends on their age and length of service (subject to a maximum service limit of 20 years). A week's pay is subject to a maximum cap reviewed by the government annually.

Statutory redundancy payments are based on the following formula:

- 0.5 week's pay for each full year of service where age during the year is less than 22
- 1 week's pay for each full year of service where age during year is 22 or above, but less than 41
- 1.5 weeks' pay for each full year of service where age during year is 41 or above

A ready reckoner table is available from the Department for Business, Innovation and Skills (BIS) website: <https://www.gov.uk/calculate-your-redundancy-pay>

- **Am I entitled to a redundancy payment if I work only a few hours a week?**

It does not matter how many hours a week you work. If you have worked for the employer for a continuous period of two years or more, you are entitled to a redundancy payment. If your weekly pay is less than the current weekly limit for statutory redundancy pay per week, then your redundancy payment will be based on your actual weekly pay.

- **If I find a job before the redundancy date and resign will I still secure a redundancy payment?**

Before resigning you should discuss your situation with HR. Leaving before the redundancy date may impact on your entitlement to redundancy pay.

4. Support during Redundancy

- **What help should I expect in securing future employment?**

HR will provide support in helping you to obtain suitable alternative employment within the university. If this is not possible, HR will help in researching the options you have outside of the university and some sources of information which may be of use to you. HR will contact you to arrange a meeting to discuss this.

- **How much time am I allowed for job hunting?**

While under notice of redundancy, you are entitled to reasonable time off with pay during working hours to seek alternative work. You will need to gain agreement from your manager prior to taking time off.

- **Are there any other sources for help and support?**

The following services are available to all Imperial staff:

Imperial Careers Service	https://www.imperial.ac.uk/careers/
People and Organisational Development	https://www.imperial.ac.uk/staff-development/people-and-organisational-development/
Confidential Counselling Service – Confidential Care	https://www.imperial.ac.uk/health-and-wellbeing/advice-and-support/confidential-care/

- **If I haven't found employment before my contract terminates, how do I go about obtaining Job Seeker's Allowance?**

You will need to contact your local Job Centre Office to determine your entitlement to Job Seeker's Allowance. The Department of Work and Pensions (www.dwp.gov.uk) will provide details of your local centre.

5. **Terms and Conditions**

- **How much notice of redundancy am I entitled to?**

The statutory notice is one week for every complete year worked, up to a maximum of 12 weeks. Where you have completed over one calendar month but less than one year, you are entitled to one week's notice. If your contract states differently, you should be given the longer period of notice - either the contract or statutory period. If there is an agreed leaving date (fixed term) in the contract of employment this will be your notice.

- **Will I be paid for any outstanding annual leave?**

You would normally be expected to take annual leave before leaving. If this is not possible you will be paid for any outstanding annual leave accrued until the date of termination. This would need to be discussed with HR/Line Manager prior to termination. If you have been redeployed within the organisation to another department you may be expected to take any accrued annual leave before

transferring. This would need to be discussed prior to the move with your HR Representative.

- **I have been made redundant whilst I am on Maternity Leave – what are my entitlements?**

You will continue to receive your Imperial Maternity Leave entitlements up to the date of your redundancy but you will be entitled to receive Statutory Maternity Pay after this date until the expiry of your 26 weeks' of paid Maternity Leave.
