

Organisational Change Policy and Procedure

# Key Details

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# Version Control

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| **VERSION** | **DATE** | **REASON FOR CHANGE** |
| 1.0 | 22nd June 2022 | First version |

**Mae'r ddogfen hon hefyd ar gael yn Gymraeg** / This document is also available in Welsh

# Policy Hub

## For further information on policies:

1. You can go to the Secretariat pages on InSite at <https://outlookuwicac.sharepoint.com/sites/Secretariat>;
2. You can go to the Policy Hub at [cardiffmet.ac.uk/about/policyhub](https://www.cardiffmet.ac.uk/about/policyhub); or
3. Contact policies@cardiffmet.ac.uk.

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SECTION ONE – ORGANISATIONAL CHANGE POLICY

1. Introduction
	1. Change is a constant feature of today’s work environment, and our University is operating within a rapidly changing local, national, and international educational environment. For the University to maintain a strong position in this environment it is important that our organisational design and structure continues to be flexible enough to enable us to deliver our services as efficiently and effectively as possible whilst meeting our strategic objectives.
	2. There will be times when it is appropriate and necessary to review and change organisational design and/or structure at an individual job, team, school/directorate, or organisational level to enable ongoing improvement and best practice.
	3. It is human nature to instinctively react to change as a potential ‘threat’ to our safety and therefore change can feel uncomfortable and unsettling. The University acknowledges this and will make every effort to minimise detrimental impact of organisational change on job security. However, there are times when changes in the demand for the services, the level of funding available to the University and/or the need for change because of technological, organisational, or academic development, may affect jobs to the extent that redeployment or compulsory redundancy may become necessary options.
2. Aims and Purpose
	1. This policy statement describes the principles which underpin how the University will manage organisational change.
3. Scope

## This procedure applies to all permanent staff, and staff on fixed term or temporary contracts with 2 years or more continuous service. The procedure does not apply to staff on fixed term or temporary contracts of less than 2 years’ duration, casual staff, or agency workers.

1. Principles
	1. Organisational change will be managed fairly, consistently, transparently, objectively and in line with employment and equality legislation and the University’s corporate values.
	2. The University will be transparent and open about potential redundancies and seek to inform affected employees as early as possible whenever the need for staff reductions occurs. In line with our recognition of Unison and UCU, Trade Union representatives will be consulted in any situation where job security may be affected.
	3. Where organisational change occurs, the University will aim to minimise disruption to business delivery and integrity where possible.
	4. To support the preservation of employment where reasonably possible redeployment will be used. The University will provide reasonable support to maximise the potential for successful redeployment.
	5. If, having exhausted all available options, compulsory redundancy appears to be unavoidable, the University will manage the redundancy in a manner that is fair, consistent, open, and in line with employment legislation and the University’s corporate values.
	6. The University will carry out consultation and ensure that views are heard before any decisions are made. The University will be open to alternatives and will always provide feedback to consultation.
	7. The University will treat employees with dignity and respect.
	8. All affected employees have the right to be accompanied at any formal meeting held under this procedure by a Trade Union representative or work colleague.
	9. All parties involved in these procedures must ensure that they maintain the confidentiality of the process within and outside the University.

# SECTION TWO - ORGANISATIONAL CHANGE PROCEDURE

# Introduction

## Any organisational change is likely to result in changes to the workforce. To ensure the consistent and fair management and implementation of organisational change this procedure will be used when there is a proposed organisational review which will materially affect the terms and conditions of employees.

## The University’s Articles of Government specify that the Vice-Chancellor (VC) is responsible for the ‘organisation’ of the institution. This procedure has been formulated to enable the Vice-Chancellor to discharge this responsibility effectively.

#  Responsibilities

## **The Reviewer**

### To work with appropriate managers, HR and Finance Business Partners, and also Business Improvement Services (where applicable) to produce business case(s) for organisational change.

### To ensure that appropriate and timely provision of information, communication and consultation takes place in accordance with the [Communication and Consultation Guidance](https://outlookuwicac.sharepoint.com/%3Aw%3A/s/PeopleServices/EbuqPoq8RGBGqQE3zssFtPkBb1XbxOoR1PbQL8NlAPYpZw?e=a7CtXS).

### To work with their HR Business Partner and relevant Trade Unions to identify any action which can be taken to mitigate against potential compulsory redundancy or avoid the need for assimilation processes to take place.

### To ensure that any decisions made are reasonable and that records are kept of the rationale behind those decisions.

## **HR Business Partner**

### To support the Reviewer with design tools and advice during the organisational design process (or OD Partner when appropriate).

### To support the Reviewer to identify which posts are in scope of the organisational change and which are not.

### To support the Reviewer in anticipating and managing any legal risks and challenges.

### To provide expert advice throughout the change process and as a member of the matching panel during the assimilation process.

### To work with employees who are eligible for redeployment to complete their Redeployment Skills Profile Form.

## **Finance Business Partner**

### To support the Reviewer in the creation of a robust financial assessment of current and proposed new structure models for inclusion in the Business Case(s).

## **Recruiting Managers (Redeployment)**

### To consider employees who are “at risk” of potential termination of employment and, where applicable, allow these employees priority over other candidates.

### To provide reasonable support and guidance to redeployed employees during the trial period and provide constructive feedback should the employee not be suitable for the job.

## **Employees affected by organisational change**

### To cooperate and engage with the redeployment process where appropriate to maximise the potential of finding suitable alternative employment.

### To engage with training and development which will enable them to undertake alternative employment opportunities where appropriate.

### To accept matched posts which are substantially the same in current grade, job description, person specification (skills and experience required) and supervisory requirements as their current post.

# The Review Process

## **Approval Process:** The Reviewer will liaise with the HR Business Partner to determine if this is the appropriate route as opposed to the HR Planning Group. The Reviewer will then complete the initial Business Case (link) for approval from the Vice Chancellor to progress.The Reviewer will need to submit this through their reporting line to their VCEG member.

## **Communication:** The relevant Trade Union(s) will be informed by People Services that a review will take place. Employees within the affected school or Directorate will be informed of the review at the earliest possible point.

## **Organisation design:** The Reviewer or designated appropriate manager will undertake an organisation design process with support from People Services in the form of organisation design tools/advice.

## **Identifying which posts are in scope of the change:** The teams, functions and posts that are in scope of the change will be identified. Those groups of posts which will be unaffected by the change and will not be subject to the change process will also be identified. This process will be carried out with support from a HR Business Partner.

## **Detailed Business Case for Organisational Change (2):** The Reviewer will produce a [Detailed Business Case for Organisational Change (2)](https://outlookuwicac.sharepoint.com/%3Aw%3A/s/PeopleServices/ESmvK_P40hdFoUjC6QmLqcwBsG-9JOtcO4kLlj4u7kBfZg?e=Yq0zU1) detailing the proposed changes, which will require the active involvement of the Dean of School/Director of Service, (should that not be the Reviewer), HR Business Partner and a Finance Business Partner.

## **Approval of Proposals:** The proposals will be considered by Vice-Chancellor’s Executive Group with the final approval from the Vice-Chancellor.

## **Consultation:** The content of the Detailed Business Case for Organisational Change will be made available to those directly affected and form the basis for formal consultation with the relevant Trade Union(s) where the proposals may result in potential redundancies. Further guidance is available in the [Communication and Consultation Guidance](https://outlookuwicac.sharepoint.com/%3Aw%3A/s/PeopleServices/EbuqPoq8RGBGqQE3zssFtPkBb1XbxOoR1PbQL8NlAPYpZw?e=a7CtXS). If during the consultation period the proposals change, they will need to return for final approval.

## **Final Approval of Proposals:** The proposals will be considered by Vice-Chancellor’s Executive Group with the final approval from the Vice-Chancellor if required.

## **Implementation:** Compulsory redundancy avoidance measures will be considered, and assimilation will then take place. Following this, employees who have not been assimilated into the revised structure will be eligible for redeployment and designated “at risk” of potential termination of employment by reason of redundancy. Formal consultation will take place to seek ways to avoid, reduce or mitigate the effects of proposed redundancies. Following the consultation process, formal notice of redundancy will be provided.

# Compulsory Redundancy Avoidance Measures

## Where a review has the potential to displace employees, consideration should be given to early avoidance measures and voluntary routes to mitigate against potential compulsory redundancy.

## Early avoidance measures to be considered:

### Reviewing roles filled by external agency workers to establish suitability for employees who may be potentially at risk of being made redundant.

### Reviewing the use of temporary employees in affected areas.

### The potential for income generation or cost saving measures.

### Recruitment may be suspended in affected areas or across the University.

### Overtime working in affected areas will be eliminated as far as is practical.

### Where practical and reasonable targeted training and development opportunities will be offered in line with future capability requirements.

## Following any early avoidance measures, if it remains necessary to reduce the number of employees of the School/Directorate or University, the following voluntary routes will be considered:

### Employees will be invited to consider changes in working hours to produce necessary cost savings where appropriate.

### Eligible employees may be allowed access to their pension entitlements on a voluntary basis (subject to the rules of the relevant scheme).

### Voluntary redeployment to another School/Unit within the University with appropriate retraining may be offered where this is possible.

### Where appropriate there may be consideration of a voluntary redundancy scheme.

# Assimilation (Matching)

## Posts in the revised structure will be filled, where possible, through a process of assimilation.

## Assimilation will take place by a process of “matching” which is a paper-based exercise undertaken by a Matching Panel consisting of two senior managers from the affected School or Directorate and a HR Business Partner. They will compare the current grade, job description, person specification (skills and experience required) and supervisory requirements of posts in the current structure, with those in the revised structure. Assimilation (matching) will only take place when the current post is at the same grade.

## Post holders will generally move directly across to the new job on the revised structure when either:

### The combination of current grade, job description, person specification (skills and experience required) and supervisory requirements are substantially the same, not only in terms of the matching criteria but also in terms of the frequency and importance of the responsibilities and duties.

### **Or**

### The post-holders can be reasonably expected to meet the essential requirements of the new job within a defined period of reasonable learning and development (3-6 months as a guide but may differ for each post). This will be decided in agreement with the manager and the HR Business Partner.

### **And when:**

### The number of eligible post holders and new jobs are equal, or there are more jobs than the number of eligible post holders.

## Employees who have been seconded into posts will only be considered for ‘matching’ against their substantive role.

## Assimilation into a higher graded post will occur where the grade of a post has increased due to a management-initiated request for regrading through the job evaluation process. This is relevant when there is an increase of one grade. Where the increase in grade is higher, an assessment will be made as to whether a new role has been created whereby staff will be required to go through a competitive process.

## Following the matching process, employees whose jobs have been successfully matched with a job in the revised structure will automatically take up their new posts and will not undergo a selection process.

## If the Matching Panel determine a ‘match’ between a post in the current structure with a post in the revised structure but there are more employees affected that meet the requirements of the new post than the number of posts available, and all affected staff wish to be considered for those posts, a redundancy selection process will need to be undertaken. Employees on maternity leave will automatically assimilate to the job in the revised structure if there is a match.

## Employees displaced because of the process outlined in 5.6, or where there is no matched post in the revised structure, will undertake competitive assimilation for the remaining vacant posts.

## This process will also be applicable to management-initiated requests for regrading through the job evaluation process outside of a formal organisational change review.

# Assimilation (competitive)

## Competitive assimilation will be appropriate to the circumstances and may comprise of a written short-listing exercise, an interview, or any other assessment activity or activities.

## An Assessment Panel will be appointed consisting of a manager from the business area undergoing the change, a HR Business Partner and a manager from a different School or Directorate.

## The Assessment Panel will evaluate the required qualifications, skills, abilities, and experience of the job in the revised structure, and they will decide and inform affected employees which criteria will be assessed prior to the assessment.

## Suitability will be objectively determined by whether the employee demonstrates that they meet the requirements of the job. Where more than one person is identified as suitable, the highest scoring individual will be appointed. The only exception to this is where there is a suitable employee on maternity leave. Employees on maternity leave will automatically assimilate to the job in the revised structure without the requirement for competitive assimilation if they meet the requirements of the job.

## If, after the process of assimilation (matching and competitive) there are any remaining employees, they will be eligible for redeployment and designated “at risk” of potential termination of employment by reason of redundancy.

# SECTION THREE – REDEPLOYMENT AND REDUNDANCY

# Redeployment Eligibility

## Employees will be eligible for redeployment in the following circumstances:

### Where they have 2 years’ continuous service and have been designated “at risk” of potential termination of employment by reason of redundancy.

### Where a restructure is in progress, but the employee has not yet been designated “at risk”. In these cases, the employee, their Trade Union representative (where applicable) and the University must agree to the redeployment.

## Eligibility for redeployment will cease:

### Upon successful redeployment.

### Where an employee is no longer “at risk” of redundancy.

### At the end of an employee’s contractual notice period when their employment has been terminated.

# Suitable Alternative Employment

## Employees who have two years’ continuous service have the right to be offered a suitable alternative role if there is one available.

## In considering what constitutes “suitable alternative employment” consideration will be given to:

### The nature of the work e.g., academic, administrative, broadly similar, or same profession or career path.

### Whether there are any significant differences between the essential criteria - qualifications, skills and experience needed and those of the employee.

### The similarity of working arrangements (hours, patterns of work, shifts).

### Grade and pay.

### Location and accessibility.

## If an employee is offered what the University considers to be suitable alternative employment, but they do not agree with this, they need to inform the Recruiting Manager in writing within 5 working days of being offered the role for consideration of whether this is deemed reasonable.

# Employees on Maternity Leave

## Employees who are on maternity leave from the affected pool are entitled to be provided with alternative employment ahead of any other employee and if they meet the essential criteria for the role, they must be offered the alternative position regardless of whether they are the preferred candidate. They do not need to be interviewed for this vacancy if it is suitable alternative employment.

## The alternative role must have conditions no less favourable than the current post in relation to location, terms, conditions, and status.

## The alternative post must remain open for them to assimilate into upon their return from maternity leave.

# Redeployment Register

## When an employee is identified as eligible for redeployment, a HR Business Partner will work with them to complete a Redeployment Skills Profile Form. to capture skills, experience, qualifications, and knowledge information to determine the suitability of vacant posts and the HR Business Partner will place them on the register for redeployment. This form will also capture whether the employee wishes to consider posts at a lower grade.

## A delay in registering for redeployment may have an impact on finding an alternative role.

## Redeployees will remain on the redeployment register until such time as they are redeployed to a suitable alternative position, when their employment terminates or if they cease to be at risk of termination of employment.

# Redeployment Matching and Selection Process

## Prior to advertising a vacant post, Recruiting Managers and a People Services representative will determine if there is a grade match between the vacant post and employees who are registered for redeployment. Where a grade match exists, the essential criteria of the vacancy will be reviewed against the skills, experience, qualifications, and knowledge of employees on the Redeployment Register. Managers will also need to consider employees who have declared an interest in posts at a lower grade.

## Redeployees who are at risk of potential termination of employment will be given a priority interview ahead of other candidates (with the sole exception that employees who are both at risk of potential termination of employment and on maternity leave are given absolute priority over all others).

## If the redeployee is appointable and their need for redeployment is due to potential redundancy, they will be legally entitled to a statutory trial period of 4 weeks.

## The purpose of a trial period is for both the recruiting manager and the employee to assess suitability and they will be conducted in accordance with the following principles:

### Trial periods can be extended by written agreement between the employee and the recruiting manager but should last no longer than 12 weeks and will be dependent on the training and familiarisation required for the role.

### If during or after the trial period the employment is deemed unsuitable by either party, the employee will be dismissed by reason of redundancy as on the date that the previous contract terminated, and the period of notice will be calculated from that earlier date.

### Where employees are still within their notice period, they will be eligible for redeployment until their termination date.

# Redeployment to Lower Graded Posts

## Where an employee and the University agree to redeployment to a lower graded post as an alternative to redundancy, pay protection of basic salary (to a maximum of one grade) will be provided for 2 years from the date of implementation of the revised structure to accommodate the financial impact.

## If more than one person is considered suitable for redeployment to the same job, the person whose grade is closest in grade will be given priority.

## When an employee is redeployed to a job which has less hours than they previously worked, pay protection will only apply to the number of hours worked in their previous post.

## When an employee is redeployed to a job which has more hours than they previously worked, pay protection will only apply if the overall level of remuneration is reduced.

## At the end of the pay protection period, the employee’s salary will automatically be adjusted to the scale point closest to their previous salary within the salary scale for the new post. No further notice will be provided for this change in salary.

# Redeployment to Higher Graded Posts

## Employees are invited to apply for higher graded posts through the University’s usual recruitment processes.

## In exceptional circumstances the University will consider redeploying staff who are “at risk” of potential termination of employment to posts which are one grade higher in situations where a new post is created as the result of a restructure and there is a “pool of one” who will be “at risk” of potential termination of employment as a direct result of this restructure.

## In these situations, if the employee wishes to apply for the post, the manager will meet with them and perform a thorough assessment of their qualifications, skills, and experience against the criteria of the new post. If the individual is deemed to be suitable, expectations of the post, revised performance objectives and success measures which are commensurate with the level of the new post, will be discussed, agreed, and recorded.

## Where the employee has development needs to enable them to reach their objectives and/or meet any other aspect of the post, these will be discussed and recorded in a Personal Development Plan (PDP).

## If the employee is not deemed to be suitable, recruitment to the new post will be managed in line with the University’s Recruitment Guidelines and the employee will remain on the redeployment register until such time as their employment is terminated or an alternative redeployment opportunity is found.

# Redundancy

## A potential redundancy situation arises in the following circumstances:

### When the University has ceased or intends to cease, to carry on the business for which the employee was employed or has ceased or intends to cease to carry on that business in the place where the employee was so employed; or

### The requirements of the University for employees to carry out work of a particular kind, or for employees to carry out work of a particular kind in the place where the employee was so employed, have ceased, or diminished or are expected to cease or diminish.

## Potential redundancies will be highlighted within Organisational Change Business Cases and as part of the organisational change process following the process of assimilation. Where individuals have not been assimilated into a new post in the revised structure, the redundancy procedure will be followed.

# Formal Consultation

## The purpose of formal consultation is to seek ways of:

### Avoiding the redundancy situation

### Reducing the number of dismissals, or

### Mitigating the effects of the redundancies proposed.

## **Individual Consultation** will take place in all potential redundancy situations and ensures that employees are consulted in a meaningful way.

## Where individuals are also subject to collective consultation, individual consultation will not begin until the recognised trade unions have been informed.

## **Collective Consultation**: The University will make every effort to consult with Trade Unions but will **always** collectively consult when there are 20 or more redundancies proposed. In these circumstances, our Trade Unions will be provided with:

### HR1 Form (Advance Notifications of Redundancies form to notify the Secretary of State)

### The total number and description of posts that it is proposed will be declared redundant and the total number of such employees employed by the University

### The nature and details of any voluntary redundancy.

## Collective consultation will commence

### At least 30 days before the first intended dismissal is due to take effect whether it is proposed to dismiss at least 20 but fewer than 100 employees at one establishment within 90 days or less.

### At least 45 days before the first intended dismissals is due to take effect where it is proposed to dismiss 100 or more employees at one establishment within a period of 90 days or less.

### As soon as is reasonably practicable in all other circumstances.

## This consultation period may be extended where issues require further analysis or consideration.

## Following Consultation if there are significant changes to the proposals, the Detailed Business Case will be amended accordingly, outlining the changes, for the approval of the Vice-Chancellor.

# Redundancy Procedure

## Following the consultation period, employees who have been selected for redundancy will be invited to a formal meeting with their line manager and HR Business Partner to confirm the decision to select them for redundancy.

## The employee may be accompanied at this meeting by a fellow worker or Trade Union representative.

## At this meeting the employee will be informed of the reasons for dismissal and why they have been selected for redundancy and they will be advised of their right of appeal.

## Following the meeting, written notification will be sent to the employee to formally inform them of the decision to dismiss by reason of redundancy. This letter will provide notice of dismissal on grounds of redundancy, summarise the reasons for the dismissal and why they were selected, advise them of their right to appeal, advise them of their redundancy payment and provide information about support.

# Appeals

## Employees can appeal against a decision made to select them for redundancy but cannot appeal the decision to invoke redundancy procedures.

## The right of appeal must be exercised within two weeks of the date of the written notification of redundancy.

## The appeal, stating the grounds on which it is made, must be in writing and addressed to the University Secretary and Clerk to the Board of Governors.

## Where the employee is a senior post holder as (as defined in the Articles of Government 1 (Interpretation) and Article of Government 3 (1) (d) (i).) an Appeal Committee will be convened, and the appeal will be heard by two independent governors supported by a senior member of the People Services team.

## Where the employee is a member of senior staff not designated as a senior post holder (as defined in the Articles of Government 1 (Interpretation) and Article of Government 3 (1) (d) (i).), the Appeal Officer will be heard the Vice-Chancellor. The Vice-Chancellor may give delegated authority to the Deputy Vice-Chancellor or the University Secretary.

## Appeals of all other post holders will be heard by the Vice-Chancellor as Appeals Officer or a senior member of staff with delegated authority as defined in the Scheme of Delegation.

## In all cases, Appeal Committee members or Appeal Officers will have no prior involvement in the decision making which led to the employee’s selection for redundancy.

## The University will aim for an appeal to be heard within four weeks of the appeal being lodged, unless otherwise agreed.

## The appeal will be a review of the decision to dismiss.

## The outcome of the appeal may be to:

### Confirm the decision to dismiss by reason of redundancy, or;

### Revoke the decision to dismiss and reinstate the employee.

## The Appeals Officer or Appeal Committee is the final decision maker within this procedure

# Support

## Employees under notice of redundancy are entitled to reasonable time off work to look for a new job, attend interviews or arrange training. This must be agreed with the colleague’s line manager.

## Employees under notice of redundancy who obtain employment with a different employer may ask for an earlier release date from that specified in their notification letter. These will be considered in accordance with the on-going needs of the University.

## Employees have access to confidential counselling services via [Health Assured](https://outlookuwicac.sharepoint.com/sites/PeopleServices/SitePages/Wellbeing/Employee-Assistance-Programme.aspx) if they wish to access this.

## The University will also consider providing on-site workshops, support in CV writing or interview skills, consideration of financial support to attend training courses, outplacement support and time off to seek financial advice.

## The ReAct scheme is available to all individuals who live in Wales and have been made redundant or under formal notice of redundancy. Those eligible may be able to receive recruitment and training support, a vocational training grant or an extra support grant. For more information, visit the [ReAct pages at Careers Wales](https://careerswales.gov.wales/courses-and-training/funding-your-studies/react-funding).

# Redundancy Payments

## To qualify for a redundancy payment an employee must have two years' continuous employment with the University (Redundancy Payments (Local Government) (Modifications) Order) at the termination date. Completed years of continuous employment are counted back from the end of the week of the termination date.

## For each completed year of service, up to a maximum of 20, employees are entitled to the following:

|  |  |
| --- | --- |
| Under age 22 | Half a week's pay for each completed year of continuous employment when the employee was below the age of 22 |
| Age 22-40 | 1 week's pay for each completed year of continuous employment when the employee was between the ages of 22 and 40 inclusive |
| Age 41 and over | One and a half week's pay for each completed year of continuous employment when the employee was aged 41 or above |

## A week's pay will be defined as actual pay (not the statutory weekly maximum), and so will be based on average gross salary.

## An employee will forfeit the right to their redundancy payment in the following circumstances:

### If the employee is dismissed for gross misconduct

### If they leave their employment before they have received notice of termination by the University.

### If they leave their employment before the expiry of their notice period except where this has been mutually agreed between the employee and University.

### If, at the date of termination of the contract they have obtained without a break, or with a break not exceeding 4 weeks, suitable alternative employment with the University or another body on the Redundancy Payments (Local Government) (Modifications) Order. For detail of organisations covered under the modification order contact your HR Business Partner.

# Policy and Procedure Revision

## The People Services Department will proactively advise, support, and monitor the application of this policy and procedure.

## To ensure it is relevant and effective, this policy, procedure and associated framework will be reviewed every three years or where there is a change in the University’s requirements, employment legislation or case law.