REDUNDANCY POLICY AND PROCEDURES

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1. INTRODUCTION

1.1 The purpose of this policy and procedure is to clarify the arrangements which will operate in any situation where the requirements of Royal Holloway, University of London (the College) for employees to carry out work of a particular kind have ceased or diminished or are expected to cease or diminish, or where, as a result of organisational change or restructuring, the role carried out by an employee is no longer required.

1.2 It is not intended to remove any current protections afforded to employees under their contracts of employment. This document and any subsequent agreements made under it will have due regard to the ACAS Code of Practice on redundancy handling, and the College will take account of any subsequent changes to the law and codes of practice that supersede or override any aspect of this policy and procedure to ensure compliance with prevailing legislation.

1.3 Representatives of the Human Resources Department will be involved at all stages of this procedure.

1.4 All employees have the right to be accompanied by a recognised Trade Union representative of workplace colleague at all stages of this procedure.

1.5 This policy covers all employees of the College.

2. POLICY

2.1 The College is committed to ensure as far as possible the security of employment of its employees. The College recognises its responsibility to inform employees at the earliest opportunity of any changes in the status, legal requirements, funding and management of the College, in technological developments, in organisational requirements, research requirements, or student numbers, and in the prevailing national economic situation, which may affect the staffing needs of the College from time to time.

2.2 The College will consult fully, and at the earliest opportunity, with the recognised Trade Unions regarding organisational change. Consultation with affected employees will occur before restructuring proposals are finalised. The College will support employees affected by change by keeping them informed and by seeking opportunities for suitable alternative employment and retraining for work within the College.

2.3 Where an employee is at risk of redundancy, the College undertakes to handle any resulting redundancy or redeployment in a fair, consistent, objective and sympathetic manner and to minimise the extent of any hardship which individual employees may suffer, as far as the College is able.

2.4 The redundancy process will give due regard to the College's Equality and Diversity Policy. An equality impact assessment must be carried out, and identified concerns must be addressed before any redundancy proposals proceed.

2.5 The College requires all those in managerial positions in areas of the College where organisational change is under consideration to act in a supportive and sympathetic manner towards their staff. Similarly, the College requires all managers in areas where employees could be redeployed to do all they can to be considerate and supportive of each employee referred to them. Managers or heads of department should, in addition, recognise the effect of unsettling circumstances on employees not directly affected by redundancy and take reasonable steps to maintain morale.
2.6 Any proposal for a reduction in staffing requires a clear rationale, which must be set out in writing by the relevant manager. The rationale for any redundancy proposals, restructurings, or new skill requirements should be clearly stated. The template for such a rationale is included in the appendices to this policy. Human Resources can provide advice and support on completing the template. Managers or heads of department responsible for managing redundancies will also receive appropriate training.

3. APPROVAL PROCESS

3.1 Proposals involving significant departmental or organisational change must be discussed by the College Executive, and authorised by the Planning and Resources Committee in cases of major change, where change affects a number of reporting lines or if the proposal includes a request for additional funding. Minor organisational change must be outlined in a clear rationale and discussed with Human Resources but may not require authorisation by Planning and Resources Committee. Proposals involving academic unit restructuring or employees covered by Statute 9 must be referred to Council after consideration by the Academic Board.

3.2 For departmental restructuring or redundancies involving Members of Academic Staff covered by Statute 9, the Council cannot delegate its responsibilities, and will consider the rationale and justification for any proposal which may entail a reduction in staffing in any academic area of the College. The Council will not make any decision until it has considered the view of the Academic Board on the matter. For any proposal to go forward, the Council will agree to the rationale for a reduction in academic staffing in the College as a whole or in any faculty, school, department or academic unit, bearing in mind that the College should provide education, engage in research, and promote learning for the public benefit across a variety of academic disciplines. Before any decision is taken to reduce staffing, the usual consultation processes with staff, recognised Trades Unions and other relevant parties will be completed. The rationale of Council’s final decision on any proposal will be reported to Academic Board.

3.3 Where the Council has reached a decision to reduce levels of academic staffing, it will appoint a Redundancy Committee. Departments or staff potentially affected by the decision and recognised Trade Unions will be informed of the appointment of a Redundancy Committee, its remit and rationale of appointment, and its membership. The Redundancy Committee will select the redundancy pool, and report back to Council on which Members of Academic Staff have been selected for redundancy. Council will make the final decision on whether to dismiss an individual Member of Academic Staff or not.

3.4 A redundancy committee established by the Council to consider any proposal for redundancy of a Member of Academic Staff shall consist of five members including: three Independent Members, one of whom shall be the chair of the panel, and two Members of Academic Staff from the approved list nominated by the Academic Board who are not subject to that particular redundancy process.

4 MEASURES TO AVOID OR MINIMISE REDUNDANCY

4.1 In potential redundancy situations, the College recognises the benefit of early and meaningful consultation with the recognised Trade Unions, for example through informal meetings or through the Joint Negotiating and Consultation Committees where formal actions will be minuted. The College recognises its statutory obligations regarding consultation; the College accepts that statutory periods are minima and that longer periods may be needed to conclude consultations.
Human Resources will advise on any applicable statutory minimum consultation periods. Consultation will include consideration of steps to avoid or minimise redundancy.

4.2 In any case of potential redundancies, likely to arise from organisational change or restructuring, the College will make every effort to avoid redundancy where possible, by use of some or all of the following:
   a) Savings in non-staff budgets;
   b) Restricting the recruitment of new employees into posts similar to those to be made redundant;
   c) Freezing of posts (where appropriate);
   d) Giving employees whose posts are redundant priority consideration for any vacancies that occur;
   e) Where appropriate, advertising existing vacancies internally;
   f) Reviewing the use of temporary staff, consultants and contractors to establish whether any of this work can reasonably be transferred to employees whose posts are redundant;
   g) Reducing overtime where appropriate;
   h) Training, re-training or redeploying suitable employees for different work for which there is a requirement;
   i) Seeking applicants for voluntary redundancy or early retirement in the affected area, and more widely if appropriate;
   j) Considering applications for part-time working or job sharing;
   k) Unpaid sabbaticals/career breaks and secondments;
   l) Seeking alternative funding, e.g. where funding for a particular project has expired.

4.3 The above list is not exhaustive. The College will consider all suggestions during consultation before a final decision is made, and provide feedback on the rationale for the decision.

4.4 The College will also oversee arrangements as appropriate for, but not limited to:
   a) A redeployment process;
   b) Careers advice including advice on CV completion and attending interviews;
   c) Training in transferable skills, the part funding of fees associated with further or higher education study, and fee waivers where appropriate;
   d) Collaborative work with other institutions in the same geographical area to extend redeployment opportunities.

5 FORMAL COLLECTIVE CONSULTATION PROCESS

5.1 The College will consult with the recognised Trade Unions over any proposals for organisational change that may potentially lead to redundancies. The purpose of this consultation will be to review such proposals with the aim of removing the prospect of any redundancies.

5.2 If, following consultation outlined above, there remains a risk of redundancy the College will formally notify the recognised Trade Unions, as early as possible, in order to allow meaningful collective consultations.

5.3 The minimum periods for formal collective consultation are prescribed by Section 188 of the Trade Unions and Labour Relations (Consolidation) Act 1992, as amended from time to time, but the College accepts that statutory periods are minima and that longer may be needed to conclude consultations.
5.4 For the purposes of full and meaningful consultation, the College will provide the recognised Trade Unions’ representatives with information as appropriate, including but not necessarily restricted to:
   a) Rationale behind any redundancy proposals;
   b) Number and description of posts which it is proposed to make redundant;
   c) Total number of employees in these posts;
   d) Proposed method of carrying out the dismissals with due regard to any agreed procedure, including the period over which the dismissals are to take effect;
   e) Proposed method of calculating the amount of redundancy payments due to employees who may be dismissed;
   f) Statistics on staff turnover for the affected area for last three years;
   g) List of suitable vacancies as they arise;
   h) Details of the College’s financial position;
   i) An assessment of the financial impact of any proposed redundancies;
   j) An assessment of the impact on remaining posts of any job losses;
   k) Information about redeployment opportunities.

   The purpose of such collective consultations is the avoidance of redundancies and the mitigation of the effect of redundancy.

5.1 The College will conduct equality impact assessments of proposals in order to determine any disproportionate impact upon employees with protected characteristics. All analyses will be prepared in accordance with the relevant legislation and will be shared with the recognised Trade Unions.

6  REDEPLOYMENT AND CONSULTATION WITH EMPLOYEES AT RISK

6.1 The College is committed to avoiding redundancies and committed to finding suitable alternative employment or the redeployment of staff wherever possible. Where organizational change or restructuring is proposed, the College will fully consider the possibilities of retraining, and facilitate, as appropriate, redeployments. It will, wherever possible, attempt to reduce the need for or the impact of redundancies through staff turnover or voluntary redundancy.

6.2 In addition to collective consultation with the recognised Trade Unions, the College will engage in consultation with the employees affected by a potential redundancy situation. Affected employees will be advised of this policy and procedure and how it may apply to them. Employee consultation will also include discussion about how the College can mitigate any potential redundancies by, for example, identifying transferable skills, potential for retraining and considering redeployment options. A checklist for areas to be discussed during individual consultation meetings is included in the appendices to this policy.

6.3 When an employee is identified as being at risk of redundancy, Human Resources will arrange a consultation meeting between the relevant manager and the employee. The employee will receive a letter inviting them to the consultation meeting advising them that they have the right to be accompanied at the meeting by a recognised Trade Union representative or workplace colleague.

6.4 The employee may decline the invitation to attend the meeting and may decide that a meeting is not necessary in their circumstances. If this is the case, the employee will be asked to put this in writing.

6.5 At the initial individual consultation meeting, the manager will explain fully the reasons why the employee is at risk of redundancy and, where relevant, outline the process and any selection
criteria that may be applied. The meeting will be an opportunity for the employee to respond to the proposals and express their initial views. However the employee is not obliged to respond immediately and may request a subsequent meeting instead. During the consultation, alternative opportunities for employment will be discussed and any other possible solutions explored. The manager, in conjunction with the Human Resources Department, will endeavour to investigate suitable alternative vacancies in advance of the meeting. As part of the consultation process the employee will be informed of how they can register on the College’s online redeployment system to receive suitable vacancy alerts.

If, during the individual consultation process, a redundancy selection pool is deemed necessary the Human Resources Department will write to the employee formally notifying them if their post has been included in that pool and confirming that they are therefore at risk of redundancy.

7 ESTABLISHING REDUNDANCY SELECTION POOLS

7.1 Where it is not possible to achieve necessary staffing reductions by any other means, the manager completing the redundancy business case (see appendix 1) will identify the relevant pool(s) from which individuals may be selected for redundancy. Pools may include posts requiring similar skills outside the immediate area where job losses are required.

7.2 Criteria for the establishment of redundancy selection pools must be objectively justified and relate to posts at risk. The criteria must not relate to characteristics of individual post holders.

8 INDIVIDUAL SELECTION CRITERIA

8.1 When it has been decided to establish a redundancy pool, criteria for the selection of individuals will be determined. Selection criteria must be objective and transparent and must be applied consistently to each employee at risk of redundancy.

8.2 Selection criteria may include the level of skill or qualification required to ensure the retention of a balanced employee profile appropriate to current and future business needs the ability and suitability to undertake or be trained for alternative roles, and other objective and fair criteria, such as those recommended by ACAS:

a) attendance record (you should ensure this is fully accurate and that reasons for and extent of absence are known)
b) disciplinary record (you should ensure this is fully accurate)
c) skills or experience. standard of work performance
d) aptitude for work
e) formal qualifications and advance skills should be considered, but not in isolation.

8.3 A panel will undertake a comparative analysis of all employees within the pool. For professional services, the panel will consist of the director of service, a senior manager from another department, and a representative from Human Resources, none of whom should have been previously involved with the case. The panel may seek information from the Head of Department of the area concerned, or external experts, if appropriate. The panel will make selection decisions based solely upon the redundancy selection criteria established in advance, applied consistently to all employees concerned, and may consider any representations made as a result of consultations with staff and trade unions. For Members of Academic Staff, the task will be conducted by the Redundancy Committee appointed for the purpose by College Council.
8.4 Managers are responsible for ensuring that the necessary records are kept to demonstrate that selection criteria have been applied fairly.

8.5 Employees will not be selected for redundancy by reason of:
   a) Any protected characteristic identified in and as relevantly applied in legislation;
   b) Their involvement in Trade Union activities;
   c) Pregnancy or childbirth;
   d) Their involvement in health and safety matters;
   e) Their assertion of statutory employment rights;
   f) Previous hours of work.

9 NOTIFICATION OF REDUNDANCY AND PAYMENTS

9.1 In the event that redundancy should prove unavoidable, Human Resources will write to the employee and invite them to a further meeting, advising them that they have the right to be accompanied by a recognised Trade Union representative or workplace colleague. At the meeting it will be confirmed to the employee that they are to be made redundant; following the meeting, the employee will be issued with notice of redundancy. The letter will confirm the notice period (contractual or statutory notice whichever is the greater), the date their contract will end, any redundancy payment calculation, the reason(s) for the redundancy and selection criteria used if applicable, and their right of appeal.

9.2 Factual advice on pensions may also be sought from the College’s Pensions Officer.

9.3 Where the employee has at least 2 years continuous service, they will be entitled to a statutory redundancy payment.

9.4 The College will consider requests by employees for early release, should they not wish to work their contractual notice period.

9.5 Where an employee is at risk of or has been served with notice of redundancy, they will be allowed reasonable time off to seek new employment, attend interviews, or to arrange or undertake training. Time off for this purpose must be agreed in advance with the Head of Department.

9.6 Where possible Human Resources will offer support to each employee, for example by advising on job applications and interview techniques, access to career advice, arranging access to counselling services and other issues as requested by the employee.

9.7 If a former employee re-joins the employment of the College not more than four weeks after the end of their employment, continuity of employment would be maintained and any redundancy payments would become repayable by the employee.

10 APPEALS (EMPLOYEES NOT COVERED BY STATUTE 9)

10.1 Where an employee wishes to lodge an appeal against their dismissal by reason of redundancy, or feels that arrangements for redeployment are unacceptable, the following appeals procedure will apply.

10.2 An employee wishing to appeal the decision for redundancy or redeployment should submit a letter setting out the full grounds of their appeal in writing to the Director of Human Resources within 10 working days of receiving the formal notification of termination of employment. The
Director of Human Resources will then arrange for the appeal to be heard as soon as practicably possible, and not normally longer than 20 working days after receipt of the notice to appeal.

10.3 Appeals will be heard by an Appeal Panel consisting of the Registrar and Director of Operations or a Vice Principal not previously involved in the redundancy process; a Head of Department from another area, not previously involved in the matter; and the Director of Human Resources or their delegate. An expert or experts relevant to the matter will be appointed where deemed appropriate, and their role will be advisory.

10.4 Appeals panels will be provided with administrative support and advice by the Human Resources Department. On receipt of the appeal letter, the Director of Human Resources or their delegate will send a copy to the Head of Department responsible for the original decision. Within 5 working days the manager will then send a report to Human Resources detailing:
   i. Reasons for redundancy dismissal, including the rationale for any restructuring;
   ii. Any factors taken into account in reaching the decision, such as the selection criteria used;
   iii. The process that was followed in reaching the decision.

10.5 Within 5 working days of receiving this report, the Director of Human Resources or their delegate will write to the employee inviting them to the appeal meeting and enclosing a copy of the Head of Department’s report. The employee will be informed of their right to be accompanied to the appeal hearing by a recognised Trade Union representative, workplace colleague, or a legal representative.

10.6 In addition to the employee’s grounds for appeal and the Head of Department’s report, the Appeal Panel will also be provided with a copy of the employee’s contract of employment, a copy of the correspondence relating to their redundancy and a copy of this policy and procedure.

10.7 At the hearing the employee or their representative will be able to present their grounds for appeal. The hearing will also be attended by the manager responsible for the original decision in order to present the management case and answer questions, supported by a representative from the Human Resources Department.

10.8 The Appeal Panel will consider the whole process and determine whether or not to confirm the decision to give the employee notice of dismissal by reason of redundancy.

10.9 Following the hearing, the Appeal Panel will write to the employee as soon as is reasonably practicable and usually within 5 working days, stating the outcome and the reason for its decision. If the Panel upholds the appeal, Human Resources should attempt to find suitable alternative employment, or if not possible, offer the employee redundancy. This is the final stage of internal procedures and the Appeal Panel’s decision is final.

11 Appeals (Staff covered by Statute 9).

11.1 Where an employee wishes to lodge an appeal against their dismissal by reason of redundancy, or feels that arrangements for redeployment are unacceptable, the following appeals procedure will apply.

11.2 An employee wishing to appeal should submit a letter setting out the full grounds of their appeal in writing to the Director of Human Resources within 10 working days of receiving the formal notification of termination of employment. The Director of Human Resources will then arrange for the appeal to be heard as soon as practicably possible, and not normally longer than 20 working days after receipt of the notice to appeal.
11.3 On receipt of the appeal letter, the Director of Human Resources or their delegate will arrange for a report, setting out:
   i. Reasons for redundancy dismissal, including the rationale for any restructuring;
   ii. Any factors taken into account in reaching the decision, such as the selection criteria used;
   iii. The process that was followed in reaching the decision.

Within 10 working days of the appeal notification, the Director of Human Resources or their delegate will write to the employee inviting them to the appeal meeting and enclosing a copy of the report. The employee will be informed of their right to be accompanied to the appeal hearing by a recognised Trade Union representative, workplace colleague, or a legal representative.

11.4 Appeals will be heard by an Appeal Panel consisting of:
   i. A Chair, who will be a senior academic member of the College;
   ii. An Independent Member of Council, who was not a member of the relevant Redundancy Committee;
   iii. A member of Academic Board, from a list nominated by Academic Board, and not so far concerned with the matter;
   iv. An expert or experts relevant to the matter will be appointed where deemed appropriate, and whose role will be advisory.

Appeals panels will be provided with administrative support and advice by the Human Resources Department.

11.5 The Director of Human Resources or their delegate will write to the employee inviting them to the appeal meeting and enclosing a copy of all relevant materials, minutes and reports leading to the dismissal decision. The employee will be informed of their right to be accompanied to the appeal hearing by a recognised Trade Union representative, workplace colleague, or a legal representative.

11.6 The Appeal Panel will also be provided with a copy of the employee’s contract of employment, a copy of the correspondence relating to their redundancy and a copy of this policy and procedure.

11.7 At the hearing, the employee or their representative will be able to present their grounds for appeal. The Appeal Panel will consider the whole process and determine whether or not to confirm the decision to give the employee notice of dismissal by reason of redundancy.

11.8 Following the hearing, the Appeal Panel will write to the employee as soon as is reasonably practicable and usually within 5 working days, stating the outcome and the reason for its decision. If the Panel upholds the appeal, Human Resources should attempt to find suitable alternative employment, or if not possible, offer the employee redundancy. This is the final stage of internal procedures and the Appeal Panel’s decision is final.
This document has been developed to provide managers with a standard template to capture the relevant information required to outline the rationale for change in a restructuring or organisational change process. Human Resources should be notified at the earliest opportunity for support and advice.

The purpose of this template is to ensure that all organisational change and the proposals/options under consideration have been fully approved and have been through the consultation process agreed with the recognised Trade Unions. In particular it is essential that the full impact is known and understood and that if there is a potential impact on staffing, that it is clear that departments have taken all possible action to mitigate against potential redundancies.

This template forms two parts as follows:

**Part A** should be completed once organisational change is being considered with the full range of options under consideration being detailed for consideration and for consultation with the Trade Unions.

**Part B** should be fully completed following a review of all the options presented and suggestions and feedback from the consultation process.

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**Section 1 – Overview**

This section should provide a summary about why the organisational change is necessary and its context. This could include:
- Overview/introduction
- Vision/mission
- How will the strategic priorities of the College and Department be achieved
- Expected benefits
- The impact of not making the changes
- Anticipated timescales

**Section 2 – Financial Implications**

Summary of relevant budgetary information. This section should provide a summary of the key financial information that has contributed to the proposals being put forward, including any additional costs or savings to be made as a result of the change.

**Section 3 – Organisational Structure**
Please provide details of both the old and the proposed new structure under consideration and the impact on roles, number, profile, etc. Please attach structure charts

**Section 4 – Potential Options**
This section should provide details on the range of options/proposals being considered, expected impact of the proposal on all aspects of the service/department. This is to ensure that all aspects have been fully considered and the potential impact has been carefully considered. This may cover the impact on students, teaching, administration, budget, staff profile, workload allocation and impact on other areas of the College.

**Section 5 – Measures to Avoid or Minimise Redundancy**
Please clarify the proactive measures that have been taken or are being considered to ensure that every effort is being made to avoid redundancies. A suggested list of measures is provided under section 5 of the Redundancy Policy and Procedure.

**Section 6 – Equality Impact Assessment**
Please provide evidence that an initial equality impact assessment has been completed to ensure that prior consideration has been given to determine whether the proposals have a disproportionate effect on gender, BME, disabled staff and staff of different ages.

**PART B**

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**Section 6 – Proposed Change**
Please provide details of the final proposal that has been consulted on. Please include details of organisational design and structure including revised roles and responsibilities.

**Section 7 – Equality Impact Assessment**
Please provide evidence that an equality impact assessment has been completed to ensure that prior consideration has been given to determine whether the proposals have a disproportionate effect on gender, BME, disabled staff and staff of different ages.

**Section 8 – Measures to Avoid or Minimise Redundancy**
Please clarify the proactive measures that have been taken or are being considered to ensure that every effort is being made to avoid redundancies. A suggested list of measures is provided under section 5 of the Redundancy Policy and Procedure.

**Section 9 – Staffing Impact**
Please provide details of roles identified for potential redundancy and summarise why these are at risk. In addition, details should be given of the proposed redundancy pool and the selection criteria that would be used.

**Section 10 – Next Steps**
Next steps should be discussed with HR. They will likely include proposed communications and timelines.
CHECKLIST FOR MANAGERS CONDUCTING INDIVIDUAL EMPLOYEE REDUNDANCY CONSULTATION MEETINGS

1. Check the employee has been given the opportunity to be accompanied to the meeting by a workplace colleague or recognised Trade Union representative. If the employee does not have a representative it is advisable to ask them if they are happy to continue unaccompanied and to re-schedule the meeting if necessary.

2. Explain that the purpose of the meeting is to advise the employee that they are at risk of redundancy and to clarify the reasons for this e.g. organisational change, expiry of funding, decisions to reduce staffing budgets, reduction in workload.

3. Explain the selection process and criteria (where applicable)

4. For employees on fixed term contracts affected by the end of funding arrangements, explain whether further funds are being sought that may lead to the contract being extended. It should be made clear that in the event of funds not being secured the employee would still be at risk of redundancy. In respect of research staff, explore the possibility of bridging funding.

5. Ask the employee if they have any questions, comments or suggestions and give them a full opportunity to state their case.

6. Explain that the College will consider suitable alternative employment and advise them how to register on the College’s online redeployment system where they can specify job search requirements and be alerted to possible matches.

7. Explain that following the consultation meeting a letter will be sent to the employee advising them they are at risk of redundancy.

8. Explain that they are entitled to take reasonable paid time off work to look and apply for new employment opportunities.

9. Explain that they may be entitled to a redundancy payment if they have at least 2 years continuous service.

10. Explain that if the College is unable to find suitable alternative employment and unless there is a change in the situation they may be invited to another meeting and following the meeting they will be issued with notice of redundancy, i.e. written confirmation detailing the notice period, the date their contract will end, compensation payable (if applicable), reason for the redundancy and the application of selection criteria (if applicable).

11. Explain that they have the right of appeal against their selection for redundancy or notice of dismissal by reason of redundancy

12. Ask them if there is anything else they would like to ask of bring to the College’s attention at this stage.
Policy Schedule

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