**Human Resources**

**Specialist Support Team**

**Policy for Implementing an Organisational Restructure**

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# Introduction

The University needs to continuously adapt and evolve as part of its day to day operations. From time to time larger scale changes may be required to respond to internal and external challenges and opportunities. The University must ensure that it has the appropriate skills and capacity in the right places to deliver its strategic plans whilst providing its employees with meaningful roles and career development opportunities.

The University’s People & Change Approach is intended to be used to support any change which significantly impacts employees and to ensure change is managed fairly, effectively and consistently. The Approach promotes early engagement and communication with all employees about potential changes that may affect them.

# Purpose

The purpose of this Policy for Implementing an Organisational Restructure and its related guidance is to ensure a fair and transparent approach when a restructure is required. The University is committed to the principle of redundancy avoidance. An Organisational Restructure will not necessarily result in compulsory redundancies and the University will take appropriate and reasonable steps to limit these circumstances arising. This Policy therefore recognises the benefit of early consultation with employees and recognised trades unions and the importance of workforce planning to avoid or minimise the need for compulsory redundancies.

# Definitions

An Organisational Restructure is the process of reviewing an organisational area which may, in turn, lead to significant structural change. This will generally mean a substantial revision of the operating model and/or the nature and/or number of job roles or team structures which will significantly impact employees.

Further related definitions can be found within the Glossary of Terms in the related guidance.

# Scope

This policy applies to all employees and should be read in conjunction with the People & Change Approach.

This Policy sets out key principles of the approach to be followed where an agreement has been reached through the appropriate level of governance to progress to Organisational Restructure.

# Equality, inclusion and fair treatment

The University will have due regard to equality and inclusion and will assess the equality impact of any significant organisational change on employees and will ensure that there is either no disproportionate impact on any particular group of employees, or that appropriate action is taken to mitigate this.  In addition to protected characteristics, consideration will be given to other circumstances e.g. contract type, immigration status. Any change under this policy will also have regard to the equality impact on others who may be affected, including students. Appropriate information will be shared with the trades unions during consultation.

# Key principles

The following sections explain steps that may be appropriate in the implementation of an Organisational Restructure. The supporting guidance provides further illustration of how an Organisational Restructure may progress.

6.1 Consultation

The University is committed to meaningful collective and individual consultation, as appropriate, regarding Organisational Restructurings. The Organisational Change Group provides the formal mechanism through which this consultation takes place. Given the regularity of meetings, the University anticipates that consultation will commence at an early opportunity.

6.2 Implementation Plan

In most cases the consultation will need to include consideration of the proposed change implementation plan. In addition to the formal consultation process with the recognised campus trades unions through the Organisational Change Group, the plan will also be shared with those employees likely to be affected by it.

6.3 Voluntary Leavers Scheme

At its discretion, the University may open up a Voluntary Leavers Scheme for particular groups of employees or an area/service/function.

6.4 Job Matching

The implementation stage of most restructuring exercises will commence with consideration of the roles in scope and whether a matching process is appropriate.

A job will be matched where there is confirmation that an employee’s existing role and a proposed role in the new structure are sufficiently similar in duties, skills required and grade. To be considered as sufficiently similar, the new role must be at least a 70% match on duties and skills and the grade must be the same. This can be identified by comparing existing roles with the new job description and person specification and making a judgement about whether they match.

Where there are more employees than roles, an objective ring-fenced selection exercise will follow, normally requiring at least an interview, to determine which employee/s will be assigned to the new role/s. Where there is only one match then the employee concerned will be assigned to the new role.

Where employees could be matched to more than one role, they will be asked to express preferences for the available posts. If a situation arises where more than one employee preferences for the same post, there will be an objective ring-fenced selection exercise. Employees who are not appointed to their first choice will be considered for their next preference where possible. There are circumstances where employees may have priority for roles due to legal obligations arising from their protected characteristics. Specific consideration will apply in these cases.

The matching process will allow for employees to raise any comments about matching outcomes relating to them and due consideration will be given before outcomes are actioned.

6.5 Ring-fenced Selection

Once the matching process has been completed, unplaced employees will have the opportunity to apply for any vacant roles within the new structure.

6.6 Avoiding Redundancies

All reasonable and appropriate efforts will be made using associated policies and procedures to avoid the need for compulsory redundancies. Steps to avoid redundancy might include where appropriate and reasonable: redeployment into a suitable alternative vacant role; reduction or elimination of overtime working; review of the engagement of external contractors/consultants; review of the use of agency workers; considering requests for part-time working, job sharing, sabbaticals and secondments; applications for voluntary severance; retraining of existing employees for suitable vacancies elsewhere in the University. Employees and the trades unions are encouraged to put forward proposals to support the avoidance of redundancies for consideration as part of the consultation process.

6.7 Risk of Dismissals by Reason of Redundancy

Employees who remain displaced following the job matching and ring-fenced selection, will be managed in accordance with the relevant Redundancy Procedure.

6.8 Open Competition

Any posts in the new structure that remain unfilled following both the job matching and ring-fenced selection process will be made available to other employees on Redeployment before being opened up to open competition.

6.9 Section 188

Where dismissals by reason of redundancy are proposed the University will consult with employees and their trades union representatives.  **As a minimum** the University will formally consult with trades unions within the timescales laid down in the statutory requirements under section 188 of Trades Union and Labour Relations (Consolidation) Act 1992 as shown below:

* A minimum of 45 days consultation where 100 or more dismissals are proposed
* A minimum of 30 days consultation where 20 or more dismissals are proposed Employees who are at risk will always be invited to attend individual meetings to discuss their individual situation and their options.

# Related documents and resources

* [People and Change Approach](https://hr.leeds.ac.uk/info/65/organisational_change/40/the_people_and_change_approach)
* [Organisational Change Group Terms of Reference](http://www.leeds.ac.uk/secretariat/other_committees.html#ocg)
* [Redundancy Procedure for Academic and Academic Related (Professional and Managerial) staff (Ordinance XXV1)](http://www.leeds.ac.uk/secretariat/ordinances.html#XXVI)
* [Redundancy Procedure for Support Staff (Procedure Agreement Section J)](https://hr.leeds.ac.uk/info/26/conduct_capability_and_grievance/236/support_staff_procedure_agreement)
* Related guidance (to be provided shortly)
* [Pay Protection Policy](https://hr.leeds.ac.uk/info/31/pay_and_reward/47/pay_protection)
* [Redeployment guidance](https://hr.leeds.ac.uk/info/20/redeployment/76/what_is_redeployment)

# Policy control

**Version/Amendment History:** Version 1.0

**Reason:** New policy replacing the Organisational Change Policy

**Applies to (Scope):** This policy applies to all employees

**Policy Owner:** Director of HR Service and Organisational Change

**Policy Author:** Head of HR (Change)

**Date Policy launched:** Aug 2020

**Review:** The policy review process will be managed by the Employment Relations and Policy Team in conjunction with the policy author. Formal reviews of policy will be carried out in consultation with the recognised Trade Unions.

# Appendix 1 Equality Impact Statement

Considerations

The University acknowledges its responsibilities to pay due regard to equality and inclusion to policy development or review under the requirements of the Equality Act (2010). This document provides evidence of this as considered by the Head of HR (Change) and the Head of Equality and Inclusion. Considerations have focused on:

1. The equality impact of a proposed restructuring or redundancy exercise; and
2. The equality impact of the application or implementation of the policy and procedure.

Organisational restructurings and any redundancy situations are likely to impact members of staff. The circumstances of every change initiative will be different in terms of its size and impact and the impact on people with protected characteristics will vary for each situation.

The commitment to assessing the equality impact in each case is an institutional safeguard and its completion will be proportionate to the size and impact of the organisational change. This will ensure that we consider equality and inclusion in the: 1) development of the proposal for organisational change; 2) cases submitted for consideration (in redundancy situations); and 3) implementation of the change policy. This will also ensure that: i) no group of staff is disproportionately impacted; and ii) the respective business area considers the diversity of the staff population in any decisions, in line with the commitments it sets out in the University’s Equality and Inclusion Framework.

Where we identify any disproportionality, HR will work with the Dean/Director of Service or area of organisational change to ensure that these issues are re-addressed and mitigating actions are in place if the change continues to be necessary. This, especially, will be considered in light of the impact of the change on service delivery and the impact that any change may have on issues of diversity important to the student body.

This information will be an integral part of the Case for Change and shared with the Trade Unions as part of the consultation process. The following paragraph has been included in the Policy:

*The University will have due regard to equality and inclusion and will assess the equality impact of any significant organisational change on employees and will ensure that there is either no disproportionate impact on any particular group of employees, or that appropriate action is taken to mitigate this.  In addition to protected characteristics, consideration will be given to other circumstances e.g. contract type, immigration status. Any change under this policy will also have regard to the equality impact on others who may be affected, including students. Appropriate information will be shared with the trades unions during consultation.*

With regard to the application/implementation of the policy and procedure, provisions have been included within the documents to ensure there is awareness of the specific legal obligations surrounding the need for equality impact assessments. This will also form part of the training on the policy and procedure for managers and HR staff.

The scoping exercise at the start of any initiative will consider the known characteristics of the people impacted (through information known to the University) and further equality and inclusion considerations will be considered through the rest of the process. For example we may provide additional support through the change process to staff with disabilities; and pregnant staff will have certain legal protections in a job matching exercise.

Process for on-going monitoring of equality impact

An equality impact assessment of each organisational restructure will be considered on a case by case basis in line with the commitments outlined above. The responsibility for this lies with the institutional sponsor leading the change programme. HR will support this with specialist expertise sought from the Equality Policy Unit.

Following implementation, the respective business area will continue to monitor the equality impact of the change process in line with the review processes introduced and implemented to measure the wider effectiveness of the change programme.

Head of HR (Change)

Head of Equality and Inclusion

January 2020