

## Change Management Policy

### *Document Control*

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### Human Resources

This policy will be reviewed periodically to ensure compliance with changes in employment law and equality and diversity legislation. In the event that this policy or procedure is not so compliant, the relevant legislation shall prevail.

**Changes to this policy will be subject to consultation and agreement with the University's recognised Trade Unions before implementation**

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## 1. Introduction

The purpose of this document is to provide procedural guidelines for management, staff and union representatives in the event of the potential need for restructuring. It applies to all categories of University staff with the exception of casual / hourly paid. Staff occupying posts established under Statute will additionally be subject to the provisions of Statute 2 (although this is under review).

It is inevitable that from time to time it will be necessary to review and change how individual sections, departments and/or colleges/institutes within the University operate. The need for such changes arises from a variety of sources but is ultimately about Brunel University London continuing to be successful and viable as an academic institution.

Changes necessarily affect University staff and the intention is to retain staff wherever possible although not always in the same capacity, and to support them during the period of transition. The University remains committed to the intention to avoid compulsory redundancies and will take all reasonable and practical steps available to avoid redundancies.

Change can be very unsettling and the principles underlying this procedure are to ensure consistency and fairness for all concerned. To that end the University will ensure that information is available for staff and trade unions so that they can participate in the decision making process; that there will be full consultation; and that the process for assimilating staff into new posts will be thoroughly transparent.

A definition listing is appended at the foot of this document.

## 2. Consultation

The University undertakes to consult staff and their representatives as follows:

2.1 Staff and their trade union representatives will be consulted regarding any potential need for restructuring at the earliest opportunity and where at all possible prior to decisions being taken.

2.2 Information will be provided to trade union representatives and the staff affected as soon as is practicable. This will include the proposed changes and the reasons for them, which posts may be affected, and where possible the current and proposed structure charts, the current and proposed job descriptions and the proposed time-scales.

At this stage those staff whose posts will be either significantly affected or will disappear will be identified as being ring-fenced or “at risk” of redundancy. Managers will make the necessary arrangements to ensure those staff who are affected receive this information in confidence prior to any group meeting.

2.3 Managers will arrange group meetings with staff and their trade union representatives to explain the reason for the changes, to listen to views and discuss proposed slotting in to roles where these are not significantly different.

2.4 Staff will be kept informed of progress on consultation and any resulting changes to the proposals.

- 2.5 Staff will receive draft documents relating to the restructuring, e.g. draft job descriptions, person specifications etc.
- 2.6 Consultation will normally be for 30 days (excluding University closure periods), although agreement can be reached earlier or where the specifics of the situation require a speedier response.
- 2.7 Where there is a legal requirement for the university to consult in line with the statutory collective consultation process this will be followed. Consultation periods will be extended to comply with statutory requirements according to the number of staff involved. These currently stand at 30 days for in excess of 20 staff and 45 days for in excess of 100 staff.
- 2.8 Where there is a requirement for a reduction in the number of posts full consultation will take place with trade union representatives to agree the selection process.

### **3. Implementation**

Following the end of the period of consultation the University will move to implement the required changes.

Where the proposed changes are minor or are not contentious, staff will be slotted into posts.

Where the planned changes significantly affect job roles, may be contentious and/or may lead to a reduction in staff numbers the following procedure will be followed;

- 3.1 Managers will provide job descriptions and person specifications for posts in the new structure. Staff who have been identified as being ring-fenced or “at risk” of redundancy will be invited to draw up appropriate paperwork e.g. updated CV or equivalent, a letter of suitability, including where relevant, a skills or competencies profile.
- 3.2 Where appropriate, slotting in will be carried out as a paper exercise by a panel against a scoring matrix, if appropriate, looking at the tasks, preferences, skills and experience required in the new posts and matching individuals' skills and experience to them by reference to appropriate paperwork. Individuals affected may request that the process be carried out on a more formal basis involving interviews.
- 3.3 Where necessary, further assessment may be undertaken by line managers to ensure correct matching; however, unnecessary assessment will always be avoided as it can often add to the anxiety that staff feel during periods of significant change. Where interviews are deemed to be the appropriate method of assessment, these will be carried out in line with best practice. At least one panel member is required to have attended Recruitment & Selection Interviewing Skills and Equality and Diversity training. Other selection methods will have been agreed with Human Resources and the appropriate trade union representative(s).
- 3.4 If there is more than one member of staff who fully meets the criteria then a competitive selection exercise must be held and a trade union representative will be in attendance to ensure consistency. Any issues of concern in this regard should be raised by the trade union observer with the chair of the panel on the day of the interview.

- 3.5 Candidates will be informed of the decision in writing as soon as is practicable. If the panel decides not to appoint the candidate clear reasons must be given for this related to the job criteria.
- 3.6 Where an offer of employment has been made candidates have 7 days within which to accept or refuse the offer.
- 3.7 If training and development is required in order for the individual to be fully effective in the new post this will be discussed and agreed and a development plan produced. This should contain clear objectives and time-scales.
- 3.8 Where the candidate refuses the offer of employment s/he must submit their reasons in writing. If a candidate decides to reject the offer and their reasons are deemed to be unreasonable they may lose their right to redeployment and redundancy (if applicable).
- 3.9 Candidates who do not receive a job offer for posts created in the restructure will join the redeployment pool. (see 7).

#### **4. Interview Selection Panel**

- 4.1 The interview selection panel must consist of at least 3 members; the appropriate line manager and/or the person to whom the post holder is professionally accountable, a Human Resources representative and an independent panel member. The independent assessor may be drawn from a different area of the University or from an external source. The selection panel may be altered with prior agreement and a Trade Union representative will be invited to observe the process and ensure consistency is followed.
- 4.2 The selection criteria will be agreed prior to the interview. This will ensure that the interview is structured to enable the candidate to demonstrate the skills, experience and attributes required for the post.
- 4.3 The candidates will be informed in advance of the proposed interview format i.e. test, presentation, talk etc.
- 4.4 The selection panel should establish which candidate(s) is most suitable for the post and prepare a written record for their decision on each candidate.
- 4.5 Those candidates who have not been selected for a post will join the redeployment pool (see 7).

#### **5. Trial Period**

- 5.1 Employees in new posts will be either given or offered a trial period (normally four weeks) during which time both they and their managers can establish suitability for the post. This trial period can be extended by mutual consent (not normally more than three months) when further training and/or support is required, and not because there has been a failure to assess the employee's suitability.

- 5.2 During the trial period regular reviews will take place between the manager and member of staff. Within the extended trial period there must be a minimum of two review meetings. Written notes of review meetings must be kept.
- 5.3 At the end of the trial period there should be a formal review between employee and manager, and employees should receive written confirmation of the outcome of this meeting.
- 5.4 If at the end of the trial period the employee decides that s/he is unsuitable for the post and providing there are clear and acceptable reasons for this they will then join the redeployment pool. Where their grounds for leaving the post are considered to be unreasonable they will be deemed to have resigned and will lose their right to redeployment and redundancy (if applicable).
- 5.5 If at the end of the trial period the manager decides that the employee is unsuitable, providing that this is not due to issues of conduct and that the matter has been addressed during the reviews, the employee will join the redeployment pool. The manager's decision must be given in writing with reasons. Employees who are considered to be unsuitable should not be kept as stopgaps to avoid having an unfilled post.

## **6. Protection of Earnings**

- 6.1 This salary protection only applies to staff who have completed two years continuous service. Where the individual employee is assimilated into a lower graded post (no more than 1 or 2 grades lower) his/her salary will be protected for a period of two years. During this time they will receive cost of living increases plus any incremental progression to which they are entitled. At the end of this two year period the salary will reduce to the top point (excluding discretionary points) of the substantive grade of the new post.
- 6.2 Staff on a protected salary are expected to actively seek to secure employment at their previous grade. In addition staff will be expected, during the protected pay period, to undertake work commensurate with their protected grade if required.

## **7. Redeployment and Redundancy**

- 7.1 Those staff who have been identified as 'at risk' of redundancy will join the redeployment pool until the effective date of dismissal. Staff within the redeployment pool will have an opportunity to express an interest in and be considered for any other suitable alternative post within the University prior to the posts being advertised.
- 7.2 Where a member of staff from the redeployment pool obtains a post within the University they will be either given or offered a minimum statutory four week trial period during which time both they and their managers can establish suitability for the post. This trial period can be extended by mutual consent (not normally more than

three months) when further training and/or support is required, but not because there has been a failure to assess the employee's suitability.

7.3 Where redeployment to suitable alternative work is not possible, and all alternative measures to avoid compulsory redundancies have been exhausted, staff will be made redundant and may be entitled to a redundancy payment.

7.4 An appropriate level of support to staff will be made available within the University.

## 8. Right of Appeal

Members of staff who feel that they have been unfairly treated as a result of this policy being implemented have the right of appeal. This should be sent to the Director of Human Resources, clearly stating the grounds for the appeal, within 10 working days of the action complained of. The principles of the Grievance Policy and Procedure will be followed.

## 9. Review period

This policy will be reviewed in consultation with the Trade Unions on a two yearly basis from July 2015 or such earlier date if required.

*Last review date: July 2015*

### Definitions:-

- *Assimilation (Slotting in) – is used where the new job is deemed to be the same or substantially similar to the old. The employee would be slotted into the new post.*
- *Ring-fencing – is determined by using the same principle for assimilation where the old and new jobs are found **not** to be “substantially similar” but the University will take the view that they have sufficient elements in common and would take into account the grade of the post, so as to give the employee an opportunity to be considered for the new post, usually via a selection process. Ring-fencing may be applied within a group, section or department etc according to the circumstances.*
- *Redeployment – is appropriate for employees who have been displaced as a result of:*
  - *Their job has been deleted and ring fencing would not be applicable;*
  - *They have been unsuccessful at the ring fence interview; or*
  - *Being “at risk” or selected for redundancy.*
- *Open competition (i.e. normal University Recruitment – will only be used when the University has been unable to fill a post by using the above provisions, or where these do not apply.*