



University of
St Andrews

Guidance note for conducting redundancy consultation meetings for the expiry of FTCs

Document type	Guidance
Scope (applies to)	All staff
Applicability date	06/06/2021
Review / Expiry date	31/12/2021
Approved date	08/06/2021
Approver	Deputy Director
Document owner	Human Resources Officer
School / unit	Human Resources
Document status	Published
Information classification	Public
Equality impact assessment	None
Key terms	Staff/Employee relations/Redundancy
Purpose	Sets out the procedure for line managers or PI's to follow when an FTC is due to expire.

Version number	Purpose / changes	Document status	Author of changes, role and school / unit	Date

Table of contents

1.	Purpose	3
2.	Procedure	3
3.	Visa requirements	4
	Appendix A: Letter to individual after meeting (redundancy template)	5
	Appendix B: Redundancy consultation	7

1. Purpose

- 1.1 The University will offer a meeting to any employee who is on a fixed term contract which is about to expire. This situation constitutes a potential dismissal by reason of redundancy and therefore the individual is classed as being at risk of redundancy.

2. Procedure

- 2.1 You should arrange the meeting within 6 weeks of receiving the email from Human Resources informing you of the individual's expiry of contract. The individual should be given reasonable notice of the meeting.
- 2.2 The individual has the right to be accompanied by a Trade Union representative or work colleague. Ideally, you should ask them in advance if they are bringing anyone with them, if they come alone then you should ask them if they are happy to be there on their own, if not then you should reconvene the meeting to a time when a representative can attend with them.
- 2.3 If you invite the individual to the meeting and they do not wish to attend, ensure you have this confirmed in writing.
- 2.4 If you would like someone from HR to attend the meeting, please email humres@st-andrews.ac.uk.

2.5 The meeting

- 2.5.1 At the meeting, you should discuss why the contract is coming to an end, this could be because a research project is complete, or funding is coming to an end and no more funding is available. If there is a possibility that more funding could be secured, every effort should be made to try and secure this funding.
- 2.5.2 The individual should have an opportunity to respond to the situation and put forward ideas/concerns. If the individual has valid and reasonable ideas on how to extend the post, then these should be explored fully.

2.6 Alternative employment (Redeployment)

- 2.6.1 This is an important area to be considered when someone is potentially to be made redundant and must be looked at in detail.
- 2.6.2 An individual who holds a visa under the points based system must contact their [Human Resources Business Partner \(HRBP\)](#) if they are interested in redeployment as they may not be eligible to be considered for redeployment to certain jobs due to United Kingdom Border Agency regulations.
- 2.6.3 It would be impossible for you to know about all vacancies and potential vacancies within the University, however, you will be expected to find out if there are going to be any suitable vacancies within your own School/Unit. You should inform the individual at the meeting to regularly check what vacancies are available on the [University's vacancy website](#).
- 2.6.4 If you or the individual identifies a post that may be suitable, you should contact your HRBP immediately, ideally before the post is advertised.

2.6.5 The individual can have a further redundancy consultation (as outlined in the letter that they receive subsequent to this meeting) by contacting their HRBP. Consultation can include help with CV preparation, skills analysis, advice on job search etc. [Appendix B](#) sets out the process and discussion points for this meeting. They can also contact [Salaries](#) to find out what, if any, statutory redundancy pay they are entitled to. The individual will not be entitled to statutory redundancy pay unless they have at least 2 years' service.

2.7 Right of appeal

2.7.1 The individual should be informed that they have the right to appeal if they feel they have been treated unfairly. If you know at the time of the meeting that the individual's contract will not be extended, they can lodge an appeal once they have confirmation of your decision in writing. Appeals should be made in writing to the Director of Human Resources within 5 working days of receipt of your decision stating the grounds of their appeal. If you cannot confirm at this stage whether or not the post will be extended, then the right of appeal should be delayed until you have communicated the final decision to them in writing.

2.8 After the meeting

2.8.1 After the meeting has taken place, you are required to send the [template letter](#) (Appendix A) to the individual detailing the outcome of the meeting. You should delete the parts of the letter that are not appropriate to the situation. If it is an unusual situation and you are unsure of what to write, please contact your [HRBP](#). It is very important that the individual is informed in writing of the outcome of the meeting, firstly because it is a legal requirement and secondly, it tells them of their right to appeal which is a legal right that they have.

2.8.2 A copy of the letter should be forwarded to Human Resources as soon as possible and you should forward any notes of the meeting to your HRBP in the event they need to be referred to at a later date.

3. Visa requirements

3.1 Please note that if you plan to extend an individual who requires a visa, Human Resources will require at least 3 months' notice to ensure that the appropriate approval from the UKVI is obtained. Less notice may affect the individual's ability to continue working.

Version number	Purpose / changes	Document status	Author of changes, role and school / unit	Date
1.0	Migration of policy to the Governance Zone	Published	Lisa Stewart, Human Resources Officer	04/07/2019
1.1	Change to expiry date (April 21)	Published	Louise Milne HRBP	06/07/2020
1.2	Change to the review date only.	Published	Lisa Stewart HR	07/06/2021

Appendix A: Letter to individual after meeting (redundancy template)

A word version of this form can be downloaded from the [HR policy page](#) or via the following [link](#).

Dear [NAME]

I write further to our consultation meeting on [DATE] to discuss the expiry of your fixed term contract which was attended by [confirm attendees name and job titles]. You were represented by [NAME] at this meeting/You chose not to be represented at this meeting. [DELETE AS APPLICABLE]

DELETE OPTION A OR B DEPENDING ON CIRCUMSTANCES

Option A

Unfortunately, I have to inform you that the University will be unable to extend your fixed term contract for the following reason: [Delete as applicable]

The funding/grant has come to an end for the research that you were employed to carry out. The project that you were employed to work on has come to an end.

Therefore it is with regret that, unless alternative employment becomes available, you will be dismissed by reason of redundancy from the University on [DATE].

You have the right to appeal this decision. If you wish to do so, you should write to the Director of Human Resources within 5 working days of receipt of this letter stating the grounds of your appeal.

Your contribution to the University has been greatly appreciated and I wish you every success in the future. (To be included for A if appropriate).

OR

Option B

By having this meeting, the University has met its legal obligations, however, unfortunately, at present, I cannot confirm whether your fixed term contract will be extended beyond its current expiry date as the University has not received confirmation if funding will be available for this purpose. I will inform you as soon as this information is available.

Regretfully, if the funding does not become available and no other alternative employment is identified within the University, your contract will not be continued and you will be dismissed by reason of redundancy from the University on [DATE].

If this should happen, you have the right to appeal this decision. If you wish to do so, you should write to the Director of Human Resources within 5 working days of receipt of confirmation of the final decision on your continued employment stating the grounds of your appeal.

The University appreciates that redundancy or potential redundancy, regardless of the circumstances, can be a difficult and stressful experience for the employee concerned, and as such you can take up the University's offer of redundancy consultation with Human Resources.

The process is outlined in Appendix B of the [Conducting redundancy consultation meetings for the expiry of fixed term contracts guidance](#).

With reference to redundancy payment, if you have been continuously employed by the University for a period of over 2 years, you will be entitled to a statutory redundancy payment (to ascertain your exact entitlement, please contact the Salaries Office directly on extension 2569). If, however, suitable alternative employment within the University has been offered but subsequently declined, redundancy pay will not normally be paid. In addition, if you resign from your post before the contract end date, you will not be entitled to redundancy pay.

If your contract is not extended then your P45 should follow shortly after your last pay, and any redundancy payment for which you are eligible will be paid to you the following month. Please ensure you have submitted your forwarding address to Human Resources prior to the ending of your contract (email humres).

Yours sincerely

HOS/HOU/PI

Appendix B: Redundancy consultation

The University is committed to providing support to employees once they have been notified that a potential redundancy situation exists, and where practicable will take reasonable steps to help the employee find suitable employment.

To make the most of the support available, it is recommended that the employee attends a redundancy consultation with a member of [Human Resources](#).

This consultation seeks to address any concerns the employee may have regarding redundancy and will provide beneficial advice and guidance to those individuals who are trying to source new employment.

Along with Human Resources, advice can be sought from the [Careers Advisory Service](#).

Information and assistance can be given in the following areas:

- Financial issues – information on redundancy pay, pensions and state benefits.
- Skills analysis – identifying transferable/marketable skills.
- Conducting a job search – useful resources/contacts.
- CV preparation/completion of application forms/responding to advertisements.
- Preparing for interviews and improving interview skills.
- Use of office facilities.

To arrange a meeting please contact Human Resources on ext 2566 or email humres@st-andrews.ac.uk.