



Procedure for Appeal Against Redundancy

1. General principles

- 1.1 Scope: to apply to all non-academic staff (academic staff are as defined in Section 1 paragraph 1 of the Statutes). Group and/or individual appeals may be lodged.
- 1.2 Appeals will normally be accepted on the basis of one or more of the following grounds:
 - The correct procedure was not followed
 - The selection process was flawed
 - New evidence has come to light
- 1.3 Employment will not be extended to hear the appeal. If it has not been possible to hear the appeal before the date of the dismissal, an employee whose appeal is successful will be reinstated with full continuity of service and no loss of pay or other employment benefits.
- 1.4 The appeal should be made to the Director of Human Resources and Organisational Development in writing within five working days of the notice of redundancy being issued and should indicate the reasons for appeal. Further information to support the appeal may be submitted at a later date but should be received at least five working days before the appeal panel is held.

2. Group and individual appeals

- 2.1 Where a group of staff is affected by the same redundancy rationale, the appeal panel may consider hearing a group appeal in advance of any individual appeals. In these circumstances, any individual appeals would need to be submitted on an individual basis and should not be a repetition of the group appeal. A group appeal may be considered where all affected individuals agree to the content of any appeal information submitted. The appeal may be presented by one person on behalf of the group, but where practical, the other individuals may also be in attendance.

3. The appeal panel

- 3.1 The appeal will be heard by an appeal panel appointed by the Director of HR and OD. The panel will consist of two senior managers from a different part of the University from the staff members making the appeal (a senior manager is normally Grade 10 or

above), one of whom will act as Chair, and an HR representative. Appeal panel members should not have been involved in previous decision-making in relation to the redundancy process being appealed.

- 3.2 Prior to the appeal panel meeting, the appeal panel will undertake any investigation needed to obtain information to consider the detail of the appeal. This investigation will include receiving information provided by the manager of the relevant area to include the rationale for redundancy, documents provided as part of consultation and any comments received and feedback given as a result of the consultation process (comments may be anonymised).

4. The appeal panel meeting

- 4.1 The appeal panel will arrange to see the employee or group of employees at the earliest possible opportunity and will notify the date of the meeting in writing to the employee/s. The date of the appeal panel meeting will be confirmed within 10 working days of receipt of the appeal. The individual (or group) has the right to be accompanied to the meeting by a work colleague or trade union representative.
- 4.2 The appeal panel will consider information collected during any investigation alongside any information provided by the individual/group in support of the grounds for appeal, including any witnesses *. The appeal panel may ask the manager responsible for the original redundancy decision to attend the meeting. The individual/group will be given information provided by the manager to the appeal panel in advance of the appeal panel meeting and will have the opportunity to challenge this evidence. The individual/group will have the opportunity to put their case for appeal to the appeal panel in person.

5. Outcomes

- 5.1 The outcome of the appeal will be notified in writing usually within 10 working days of an appeal meeting. If any delay is anticipated, the appeal panel chair will advise the individual/group making the appeal of this. If an appeal takes place after the expiry of the contractual notice period, the individual/group making the appeal will have email and network access reinstated. The decision of this appeal panel is final. There is no further right of appeal.
- 5.2 If, after the hearing, the appeal panel chair considers that the appeal should be upheld, then he/she will inform the employee/s of the decision and advise the line manager of the outcome. The appeal manager will also notify HR to retract the notice of redundancy. Where the appeal is not upheld, the appeal panel chair will confirm to HR that the redundancy has been confirmed. HR will then notify the employee(s) appealing of this outcome.
- 5.3 Where an appeal is successful and an employee's or group's post is/posts are therefore reinstated, any redundancy payment/s made must be repaid to the University. In these circumstances, continuous employment service will be reinstated as if no redundancy had happened and any salary arrears due will be paid.

* Witnesses are people who have seen or heard events or know facts which a member of staff relies on as part of their case

Version Control:

Reference Number	Version No	Date	Executive Lead	Author	Consideration by	Notes
		11/04/2016	CEO	C Freeman (Associate Director of HR)		No previous policy