



**ULSTER UNIVERSITY**  
**ORGANISATIONAL STRUCTURE CHANGE POLICY**

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## **Preface**

### **Communication during a restructure**

Restructuring is, for most people involved, an ultimately emotional experience. Consequently, it is vitally important to communicate well and often. Meeting regularly, to discuss

The aim of communication will be to inform, support and ease concern. Communications will aim to deal with issues relating to departments and teams and guidance about the process by which decisions are made. Furthermore, support interventions will be developed and implemented covering such topics as interview skills.

## 1. BACKGROUND

The University, like any large organisation, must be agile and must ensure that it has the right skills and capacity, in the right teams, in the right part of the University structure to support the delivery of its strategic plans. From time to time we will have to restructure parts of the University to reflect changes in those strategic priorities, the need for more effective, flexible and/or innovative working practices or changes to the operating environment.

The University recognises that departmental restructuring can be challenging, for both the staff affected and the managers charged with responsibility for delivering the restructuring. This document is intended to outline the principles that will underpin future departmental restructuring exercises and the procedural stages that will normally occur during a typical restructuring exercise. This will ensure that staff affected have a clear understanding of how the restructuring exercise will be conducted and will help ensure consistency of treatment.

While this document focuses mainly on the staffing consequences of a restructuring it is important to note that effective restructuring should also include plans for appropriate changes to processes, systems and behaviours.

## 2. PRINCIPLES

The University recognises that working in partnership with staff and the campus Trade Unions with a common problem-solving approach is the most effective way of managing change.

While the exact nature and rationale for departmental restructuring exercises will vary significantly the University has defined the following broad principles which should underpin all restructuring exercises. All staff involved in delivering restructuring must critically assess their actions relative to these principles.

- The University is committed to treating all staff affected by a restructuring exercise with **dignity and respect**. The University recognises that restructuring exercises can lead to personal, professional and career challenges for the staff affected and will exercise appropriate sensitivity in dealing with such situations. The University is committed to complying with both the letter and the spirit of the relevant equality legislation.
- Restructuring exercises will be undertaken in an **open, transparent and fair** manner with appropriate and meaningful consultation with the trade unions and affected staff.
- A restructuring exercise will only take place where there a **sound business rationale** for the restructuring. This can relate to changes including a change in strategic priorities, the need for more effective, flexible and/or innovative working practices or changes to the operating environment (e.g. a change to funding arrangements or a change to market conditions).
- In line with the Redundancy Policy, the University is committed to taking appropriate measures to help **avoid compulsory redundancies**, taking into account the skills and capability needed by the University.

### 3. SCOPE AND APPLICABILITY

Organisational Structure Change refers to situations in which teams or services are restructured and can include, for example, mergers, down-sizing, structural re-organisation and the introduction of significant and materially different working practices.

The scope and applicability of this policy will be determined by the scale of the changes to the structures. The policy is not intended to deal with situations where there are minor changes to working practices, duties or roles which do not significantly impact on the contractual position of a significant number of employees. The policy is not, for example, intended to cover situations such as; the creation of new posts, the ending of fixed-term contracts, changes to line management arrangements or the automation of processes through the introduction of new technologies (if however, the introduction of the new technologies results in a structural change the provisions of this policy will apply).

**It is anticipated that the policy will be applicable where there is the potential for a significant impact on the contractual position of a significant number of employees.**

Where the organisational structure change may result in redundancies, the redundancies will be dealt with in line with the University's Redundancy Policy.

### 4. ROLES AND RESPONSIBILITIES

The following individual/groups have particular responsibilities in regard to the Organisational Structure Change Policy.

- **The Project Sponsor:** For each restructuring exercise there will be a Project Sponsor. This could be the VC, COO, DVC, a PVC, a Director or an Executive Dean. The Project Sponsor will have lead responsibility for the implementation of the restructuring exercise.
- **The Senior Leadership Team (SLT):** All restructuring exercises, that fall within the scope of this policy, will require the approval of SLT prior to the introduction of the new structure.
- **The People and Culture Directorate:** When approval is given for the restructuring the Project Sponsor will work with the relevant staff from the People and Culture Directorate (Head of HR Business Partnering and Head of Employee Relations) to progress the restructuring in line with the procedure detailed below. The relevant staff from the People and Culture Directorate will support the Project Sponsor in implementing the restructuring and will help ensure compliance with relevant legislation and statutory codes of practice.

### 5. PROCEDURE

The nature and size of organisational structure change can vary significantly. The procedural stages in a typical restructuring exercise are detailed below, however, the University may need

to adapt the process where appropriate to reflect the circumstances of the particular organisational change. Such adaptations will require the approval of SLT and should be included in the 'business rationale' given to SLT.

### **5.1 Consideration of the need for restructuring and early stage proposals.**

It is important in any organisational change to consider and understand why change is necessary and the scale of the change that is required. The Project Sponsor should take some time to consider the current structure, current workflows and patterns and the 'drivers' for change.

The Project Sponsor, where appropriate, may wish to establish a small project team to help develop the rationale for the organisational change. Irrespective of whether the Project Sponsor builds a project team, procedural advice must be taken from the outset from the relevant staff from the People and Culture Directorate with regard to the operation of the Organisational Structure Change Policy and relevant legislation. The Project Sponsor will research options for change and identify possible solutions to issues with the current structure.

Before developing a draft organisational chart for the new structure, the Project Sponsor must develop a business case outlining the strategic rationale for the proposed structure.

The output from this stage of the process should be a detailed paper explaining the business reasons for the restructuring and how it will deliver strategic institutional objectives. This should include the financial and other efficiency drivers.

### **5.2 Obtaining SLT Approval.**

When the Project Sponsor has developed the business rationale for the restructuring s/he must seek approval from SLT. While the format of the business rationale may vary significantly, depending on the nature of the organisational structure change, a typical business rationale will normally include the following.

- An outline of why the organisational structure change is required.
- The current Organisational Chart A.
- The high-level narrative describing the proposed new structure.
- The proposed new Organisational Chart B. In some cases, this may be a high level version of the organogram which includes details of the number of posts but not the grades of the post as this will be subject to job evaluation.
- A forecast of the financial implication of the move for Organisational Chart A to Organisational Chart B. As the restructuring progresses, any significant changes to the financial forecast should be reported back to SLT. Any restructuring should be able to demonstrate how it will improve efficiency in delivering institutional objectives.
- A business case for the change needs to be clearly made with clear outcomes/deliverables.
- An indication of whether there will be fewer posts in Organisational Chart B than are in Organisational Chart A and any posts at risk.
- An indication of the timescale for completion of the restructuring.
- Any proposals to vary normal processes.
- A Communications plan and risk assessment.

Restructuring exercises should only commence after SLT has given approval to commence the consultation and implementation.

### **5.3 Stage One: The Initial Phase of Consultation**

Effective consultation and communication is an important aspect of organisational structure change. The University is committed to consultation and will remain open to alternative proposal and feedback. Individuals and trade unions will be actively encouraged to provide feedback and the University will give due consideration to alternative proposals and any measures that might mitigate against adverse impact identified through the consultation.

The Project Sponsor should develop a clear consultation plan for the organisational structure change.

The consultation plan will generally be in two phases. The initial phase will normally focus on the rationale for the restructuring in Organisational Chart B.

The process will begin with an in-confidence briefing for the trade union(s). The union(s) will be provided with a written briefing containing the business case and an invitation to attend a meeting. While the format of the written briefing may vary, depending on the nature of the organisational structure change, a typical consultation briefing paper will normally include the following:

- The rationale for the organisational structure change and the narrative describing the proposed new structure.
- Organisational Chart A and B
- The timescale for both the consultation and the overall restructuring.

In advance of the first stage in-confidence briefing with the trade unions, work will be undertaken to draft job descriptions, personnel specifications and to complete job evaluation documentation for Organisation Chart B. For restructurings that are particularly large and complex, or that are required to move ahead with pace for operational reasons, it may not be possible to complete all of these steps.

The written in-confidence briefing for the trade union(s) will be followed by a briefing for the affected staff. Where possible this will be delivered on the same day as the written in-confidence briefing is sent to the trade union(s) and will normally be within 48 hours of the briefing for the trade union(s). The briefing will be delivered by the Project Sponsor supported by a representative from the People and Culture Directorate. At the staff group meeting the Project Sponsor will outline the rationale for the organisational structure change and describe the proposed new structure. A representative from the People and Culture Directorate will outline the procedural issues. The affected staff will also be provided with a written briefing. The unions may wish to organise a meeting with their members immediately following the briefing.

The initial phase of the consultation should remain open for at least 14 days and for particularly complex restructuring exercises it may be necessary to extend this phase. The Project Sponsor must convene a meeting of her/his project team to formally consider the consultation responses received. All consultees (including trade unions) who provide comments should receive a reply from the Project Sponsor.

### **5.4 Stage Two: The Second Phase of Consultation**

If required, between the first and second phase of the consultation the Project Sponsor will continue to work with the staff in the People and Culture Directorate to develop job

descriptions, personnel specifications and HERA job evaluation documents for any new or substantially amended posts in Organisational Chart B.

The second phase of the consultation will focus on changes that have occurred as a result of the initial consultation and will include a more detailed Organisational Chart B which by this stage will normally include details of the grades of the posts in the proposed structure. It will begin with a second briefing for the trade unions and will be followed by a second meeting with the affected staff. The affected staff will also be offered the opportunity of a personal meeting with the Project Sponsor and a representative for the People and Culture Directorate at which they can be accompanied by their trade union representative.

The second phase of the consultation should remain open for at least 14 days and for particularly complex restructuring exercises it may be necessary to extend this phase. The Project Sponsor must convene a meeting of her/his project team to formally consider the consultation responses received. All consultees who provide comments should receive a reply from the Project Sponsor. Any significant changes arising through the consultations should be reported back to the SLT. In consultation with the Chair of SLT, the sponsor may need to bring back the final proposed structure for further consideration by SLT.

The finalisation of the new structure marks the end of this phase.

Note: Where the proposals are straightforward (i.e. no jobs at risk etc.) and time is of the essence, it will be possible to have a single stage consultation. In such cases the rationale would be set out at the beginning and discussed with the trade unions.

### **5.5 Stage Three: The Implementation Stage.**

When the consultation phases have been completed the Project Sponsor should focus on populating Organisational Chart B.

The following techniques will normally be used to help populate Organisational Chart B.

#### **5.5.1 Matching**

Matching (or assimilation) is a process of matching posts in Organisational Chart A with posts in Organisational Chart B. Where there is little change to the scope, scale and focus of a role from Organisational Chart A when compared to a role in Organisational Chart B, there will be a successful match.

As matching helps avoid the potential for redundancies and minimises the personal, professional and career challenges for the staff affected, the implementation stage of most restructuring exercise will commence with consideration of whether a matching process is possible.

The matching process will be objective and based solely upon evidence in regard to the post rather than the post-holder.

The matching will be conducted by a panel comprising the Project Sponsor (or her/his nominee) and a Senior Manager from outside the Department affected by the restructuring. The matching panel will include a male and a female. The panel will be supported by a representative from the People and Culture Directorate and each panel member will complete proforma documentation to record their decision. A matching outcome decision will be made by all panel members.

Care should be taken in regard to the evidence used by the panel, as some of the job descriptions for posts in Organisational Chart A may not have been updated recently and may

therefore be an unreliable evidence source. If this is the case the Project Sponsor will need to seek other evidence sources including the personal knowledge of the current line manager of the post-holder, functional descriptions of roles that may exist on departmental web pages, terms of reference for working groups or committees and delegations of financial authority.

The matching process is undertaken through a qualitative comparison of the scope, responsibilities and accountabilities of a post in Organisational Chart A with an equivalent post in Organisational Chart B. The evidence can include the sources outlined above.

In advance of reaching a decision on matching, the Project Sponsor will communicate with the affected member of staff to outline the evidence sources that will be used in the matching exercise. This will be communicated using a standard proforma and the affected member of staff will be given the opportunity to make written comments on the evidence that will be used.

There may be occasions where there are several roles in Organisational Chart A who would be a match for a smaller number of posts in Organisational Chart B i.e. there are fewer posts of this kind in Organisational Chart B than in Organisational Chart A. If this is the case matching will not be possible. In such circumstances the posts will be filled via a 'restricted trawl' i.e. restricted to the staff in the matched roles.

Documentation, outlining the decision from the matching panel will be shared with role holders. Outcomes from a matching panel can be appealed on the grounds of:

- a) The panel's interpretation of the evidence provided.
- b) Procedural irregularity.

If a role holder would like to appeal a panel decision, they must lodge the appeal within 10 working days of receipt of the matching outcome.

A matching panel with new membership will be convened to consider the evidence afresh.

It is important to note that staff cannot be promoted to a higher graded post via matching.

Fixed-term staff with less than two years' continuous service and all fixed-term staff providing cover for Sick Leave, Maternity Leave or Career Break are not eligible to participate in the matching process.

Where a person is matched into a role but declines the offer of the role s/he will become ineligible for redundancy compensation (unless the role matched to is of a lower grade to the role holder's current grade and/or is based at a campus 25 miles or more away from the role holder's current campus base).

Where a person is matched to a post at their current grade, on their current campus and there are no other individuals matched to the post, the person will be expected to accept the position.

It is recognised that where a person is not matched to any position they may not wish to enter into a recruitment competition and may instead prefer to accept redundancy compensation. In such situations redundancy compensation will be available at the level detailed in appendix one.

It is also recognised that in situations where a person is matched to post at a lower grade to their current post and is required to participate in a restricted trawl to secure this post, they may not wish to enter into the recruitment competition and may instead prefer to accept redundancy compensation. In such situations redundancy compensation will be available at the level detailed in appendix one.

In situations where a number of people in Organisational Chart A are matched to a smaller number of similar graded posts based at the same campus in Organisational Chart B some may not wish to engage in a restricted trawl. In such situations redundancy compensation will be available at the level detailed in appendix one however, this will only become available after all of the posts that the person was matched to have been filled.

Any relocation that occurs as a result of matching will be dealt with in line with the University's Relocation Procedures.

### **5.5.2 Restricted Trawls**

Where posts are unfilled at the matching stage they will progress to competitive recruitment. In order to help minimise the potential for redundancies the competitive recruitment will initially be with a 'restricted trawl'. The trawl will be restricted to the area that is currently being restructured i.e. the Faculty or Department.

- **Restricted Trawl:** In a restricted trawl (sometimes referred to as a 'ring-fenced' trawl) applications are initially restricted to staff affected by the restructuring. As the justification for restricting applications is to help avoid the potential for redundancies fixed-term staff with less than two years' continuous service and all fixed-term staff providing cover for Sick Leave, Maternity Leave or Career Break are not eligible to apply for a restricted trawl.

Any unfilled or unmatched posts following the matching stage of the restructuring process will be subject to a restricted trawl as the first step in the recruitment process.

Restricted and internal trawls are not appropriate for Director level appointments.

### **5.5.3 University wide internal trawl**

If a post remains unfilled following a restricted trawl exercise, the next stage of the recruitment process will be the use of a University wide internal trawl.

### **5.5.4 Redeployment Register Trawl**

Any posts that remain unfilled following the 'University-wide' internal trawl will be trawled among those on the Redeployment Register.

### **5.5.5 Public Advertisement.**

The final stage in the process will be to advertise vacancies externally. This will only occur after significant efforts have been made to fill all vacancies internally.

## **5.6 Stage Four: Evaluation and Review.**

When all posts have been filled the Project Sponsor should complete an evaluation of the implementation and outcome from the restructuring. As part of the evaluation the Project Sponsor will seek the views of the trade unions. A short report should be sent to SLT

## **6. REDUNDANCY POLICY AND COMPENSATION.**

Where an organisational structure change has the potential to result in redundancies this will be dealt with in line with the University's Redundancy Policy (and the provisions of Statute V). The Organisational Structure Change Policy does not alter the Redundancy Policy in any way. The University remains committed to the principles of a stable work environment with security

of employment where practicable and as such the University will take all reasonable steps to avoid redundancies.

In many restructuring exercises there will be no fewer posts in the proposed new structure and therefore it will not be necessary to initiate the Redundancy Policy. If however there are fewer posts in the new structure or staff do become displaced as a result of such a restructuring exercise the University will initiate the consultation arrangements, as detailed in the Redundancy Policy, at the earliest stage.

In such situations the Redundancy Policy will be triggered at the contemplative stage at 5.1 of this policy to allow meaningful redundancy consultation to occur.

Where a redundancy does arise as a result of restructuring, Voluntary Redundancy (VR) compensation will be paid at the level detailed in the University's existing Redundancy Policy (see appendix one). VR will only be available in situations where, at the end of a restructuring exercise, there is either no suitable alternative post available to an employee or where the only alternative post is at a grade lower than the employee's existing grade.

The Redundancy Policy makes provision for time-off to seek alternative employment and to attend interviews for staff at risk of redundancy. The university will provide individuals in these circumstances with outplacement support.

In a restructuring situation where an employee accepts a position at a grade below their existing grade they will be entitled to 'pay protection'. Pay protection will be for a maximum period of eighteen months and any employee who accepts pay protection will not be considered for Voluntary Redundancy.

Where an employee is matched to a post on a different campus and that campus is 25 miles from their current campus the employee is eligible to be considered for VR compensation.

## **7. CONSULTATION AND COMMUNICATION**

The University is committed to consultation in regard to all organisational structure change that falls within the scope of this policy. The University fully recognises the value that effective consultation can bring and is committed to consultation as early as possible in any potential restructuring situation.

8. The policy will be reviewed within 18 months of the date of its adoption.

9. **Date Effective:**\_\_\_\_\_

## **APPENDIX ONE**

### **EXTRACT FROM THE UNIVERSITY'S REDUNDANCY POLICY (SECTION 4.10).**

Currently, statutory redundancy pay is calculated as follows:

- (a) 1.5 weeks' pay for each year of employment during which the employee was aged 41 or over;
- (b) 1 week's pay for each year of employment during which the employee was aged 22-40 inclusive;
- (c) ½ week's pay for each year of employment in which the employee was aged 18-21 inclusive.

In order to qualify for redundancy payment, employees must be employed for over two years and be aged 18 or over. Reckonable service is limited to the last 20 years before redundancy.

The University will base redundancy pay on actual weekly earnings, or the amount permitted under the Employment Rights (NI Order) 1996 whichever is greater, and will apply the statutory redundancy pay calculator as above 4.10 (a) – (c). In the case of voluntary redundancy, the calculated statutory redundancy will apply plus an additional compensation of 20% of actual annual earnings.

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