



## **Ending Work Policy**

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### **Policy Statement**

The Ending Work Policy outlines the approach to ending the contractual relationship between employees and UKRI, which terminates due to:

- Resignation
- Retirement
- Ending fixed term appointments
- Redundancy
- Death in Service

This policy distinguishes between the notice period the employee is required to give UKRI, and the notice UKRI is obliged to give the employee, in the event of the termination of employment. Final pay arrangements, where applicable, are included within the relevant employment termination section.

The policy also details the agreed framework for handling staff surpluses and redundancies in consultation with the Trade Unions.

This policy applies to all UKRI employees on a permanent or temporary contract. Visiting workers, students or workers provided by a third-party agency are exempt from this policy.

Before following this policy, please consult the HR Policy Framework.

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**Management Statement**

UKRI is committed to providing fair and consistent application of the ending work process, ensuring employees are informed of their rights and entitlements whilst complying with employment legislation.

The Ending Work Policy has been agreed with the Trade Union Side and complies with statutory legislation.

**References:**

Attendance and Leave Policy  
 Travel and Subsistence Policy  
 Pay and Reward Policy  
 Recruitment Policy  
 MRC Redundancy and Redeployment Policy and Procedure  
 MRC Redundancy Compensation Scheme 2011

Version Number	Status	Revision Date	Summary of Change
Version 1.0	Complete	January 2020	New policy created

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**1. Principles**

- 1.1 UKRI will provide support, guidance and information to employees coming to the end of their employment.
- 1.2 In the event of a termination of employment, UKRI will confirm in writing the reason for termination, the last day of paid service and any annual leave to be paid or recovered.
- 1.3 Employees facing redundancy or coming to the end of a fixed term appointment can be considered for redeployment.

**2. Delegation**

- 2.1 For more information on the delegated authority, please see the HR Delegated Authority Framework.

**3. Notice periods**

- 3.1 The table below outlines the contractual notice periods to be given by the employee or by UKRI in the termination circumstances:

Termination type	Notice Period
Resignation (not linked to drawing pension)	<b>During Probation (all employees):</b> two weeks <b>Bands A-D:</b> one month <b>Bands E and above:</b> three months For information on pay bands, please see Appendix C of the Pay and Reward Policy.
Resignation (linked to drawing pension)	Employees are advised to give three months' notice so that pension payments can be processed. If the notice period is less than three months payment of pension may be affected.
Ill-health Retirement	Three months
Dismissal (e.g. probation, disciplinary and/or poor performance/attendance)	<b>Probation – non-confirmation of appointment:</b> Two weeks  <b>Misconduct or unsatisfactory performance/attendance:</b> The equivalent of statutory notice (i.e. one week for each complete year of service subject to a minimum of four weeks and a maximum of 12 weeks) or pay in lieu of notice (non-contractual).  <b>Gross misconduct:</b> normally without notice or pay in lieu.
Redundancy (Voluntary & Compulsory)	<b>Voluntary Redundancy:</b> See paragraph six. <b>Compulsory Redundancy:</b> Minimum written notice of compulsory redundancy will be three months or as stated in the contract (or for those employees to which the MRC Redundancy and Redeployment Policy and Procedure and the MRC Redundancy Compensation Scheme 2011 applies, will be as stipulated in those policies).

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- 3.2 Any annual leave to be taken during the notice period will be in accordance with the UKRI Attendance and Leave policy.

## 4. Resignation and Retirement

- 4.1 Employees who resign, including those deciding to leave and take their pension, should give notice in writing to their line manager. UKRI will write to the employee to acknowledge receipt and confirm their leaving date.

- 4.1.1 UKRI is under no obligation to agree to an employee request to withdraw their notice of resignation.

- 4.2 UKRI does not operate a compulsory retirement age for its employees.

## 5. Ending Fixed term contracts

- 5.1 Fixed-term contracts will end when they reach the agreed end date, when a project or task is completed, or any criteria set out in the contract has been met.

- 5.2 The line manager should receive notification at six months and three months before the end of the employee's fixed term contract. This should be shared with the fixed term employee.

- 5.3 Three months before a fixed-term contract is due to end, the line manager will arrange a formal meeting. At this meeting the employee will:

- 5.3.1 be reminded of the scheduled end date,

- 5.3.2 be provided with details of their right of appeal against the ending of their contract. Please see the HR Policy Framework.

- 5.3.3 Be able to discuss redeployment opportunities. For further information please refer to Appendix D – Redeployment Guidance within the Recruitment Policy.

- 5.4 Following the meeting, the line manager will confirm the outcome of the meeting.

- 5.5 If the individual has two years' continuous service, they will be entitled to a redundancy payment if the reason not to renew or extend the current contract is redundancy. Whenever a redundancy payment is made, the employee must be given a written statement showing how the payment has been calculated.

## 6. Redundancy

- 6.1 This section of the policy, together with Appendices A and B, do not apply to employees to which the MRC Redundancy and Redeployment Policy and Procedure and the MRC Redundancy Compensation Scheme 2011 apply.

- 6.2 Where it is necessary to undertake a redundancy exercise UKRI wishes this to be carried out in a way that is understood by employees and that minimises the period of uncertainty for those affected.

- 6.3 UKRI recognises the importance of effective communication and consultation with both employees and the Trade Unions in advance of and during any restructuring or redundancy exercise.

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- 6.4 UKRI will support employees who will be redeployed as an alternative to ending their employment as a result of the end of a fixed term appointment or redundancy.
- 6.5 UKRI must maintain a workforce of a capability and size to match work needs and any financial constraints. It is expected that effective forward planning coupled with appropriate employment policies will, in the main, provide sufficient opportunity to adjust numbers and skills to meet changing requirements.
- 6.6 If a reduction in overall employee numbers becomes necessary, then UKRI's objective will generally be to achieve it as far as practicable through normal employee turnover. The over-riding objective of any exercise will be to ensure that the part of the organisation concerned is left in the best possible position to meet the challenges ahead of it.
- 6.7 UKRI may decide after consultation with the Trade Unions that it needs to implement formal pre-redundancy measures (as detailed in [Appendix A](#)).
- 6.8 Where an employee's post is identified as at risk of redundancy, UKRI will inform the employee in writing of the approach to the process.
- 6.9 Where these actions do not achieve the required reductions, it may be necessary to implement formal redundancy measures (as detailed in [Appendix A](#)).
- 6.10 Where redundancies are needed to achieve staffing reductions, the following general principles will apply:
  - 6.10.1 The total number of redundancies will be kept to a minimum.
  - 6.10.2 As much information as possible on forward plans and the reasons for change will be made available to the Trade Unions.
  - 6.10.3 Employees and their Trade Union representatives will be fully consulted on any proposals and how UKRI plans to implement them, including:
    - 6.10.3.1 changes required to achieve a workforce of the capability and size to match anticipated financial constraints and work needs,
    - 6.10.3.2 pre-redundancy measures,
    - 6.10.3.3 the reasons for redundancies,
    - 6.10.3.4 numbers, pay bands and area(s) of work included at each stage,
    - 6.10.3.5 proposed selection pool (if appropriate) and selection criteria,
    - 6.10.3.6 how the procedure will be implemented,
    - 6.10.3.7 timescales,
    - 6.10.3.8 arrangements to be adopted to ensure that the process is applied fairly (e.g. through Equality Impact Assessments).
  - 6.10.4 Voluntary redundancy will be used before compulsory redundancy.

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- 6.10.5 Selection for redundancy will be based on clear criteria that will be objectively and fairly applied and with due regard to equality and diversity considerations.
- 6.10.6 All employees on long term absence, sabbaticals, career breaks or secondments, including pregnant employees, employees on maternity leave and employees on adoption leave are subject to the same redundancy selection and consultation processes as other employees.
- 6.10.7 If an employee is on long term absence or any form of parental leave, care must be taken to ensure they are kept informed about the redundancies, receive the same formal communications as other employees and have the same opportunity for individual consultation.
- 6.10.8 Every effort will be made to redeploy employees selected for redundancy.
- 6.10.9 Support and advice will be provided to employees selected for redundancy to help them find suitable work when their employment comes to an end.
- 6.10.10 Where required, UKRI will operate within any central government protocols that apply at the time.

## 7. Death in Service

- 7.1 In the event of the death of a current employee, UKRI will provide support and guidance to dependants and relatives. It will also support work colleagues in dealing with the bereavement.
- 7.2 UKRI will communicate regularly with the next of kin including notifying them of when they can expect to receive final salary payment and pension benefits. Any engagement with next of kin should be managed by HR and pensions colleagues.
- 7.3 If an employee dies whilst on UKRI business overseas or a member of the employee's family accompanying them on UKRI business overseas dies UKRI will meet the reasonable expenses of either repatriating the body or attendance of the next of kin at an overseas funeral. The family of a deceased employee will be repatriated at UKRI's expense.

## Appendix A - Redundancy Framework

- A1.** The following procedure represents a framework within which redundancy exercises will be carried out.
- A2.** The details of how any specific exercise will be carried out, including the method of selection will be discussed with the Trade Unions before any exercise takes place, with a view, if possible, to reaching agreement within this framework.
- A3. Pre-redundancy measures**
- A3.1 Where a reduction in employee numbers cannot be resolved through normal employee turnover alone, present and future work programmes will be reviewed in consultation with the Trade Unions. If necessary, the use of appropriate formal, pre-redundancy measures drawn from those set out below will be fully explored. The Trade Unions will be consulted in advance about the measures to be adopted and will be kept informed of progress. The measures are not listed in priority order and their individual implementation will depend upon the circumstances prevailing at the time:
- A3.1.1 review the use of temporary staff such as agency staff, contractors, and casual workers;
  - A3.1.2 placing restrictions on recruitment, promotion, overtime and other staffing arrangements (including considering the scope for flexible working e.g. part-time working, job sharing etc);
  - A3.1.3 redeployment into alternative posts where suitable opportunities can be identified, retraining being provided where appropriate, along with the opportunity of a trial period in the new post;
  - A3.1.4 facilitating the transfer of employees to suitable vacancies in other Government Departments by promoting the Civil Service Jobs Portal;
  - A3.1.5 opportunities for re-skilling, when a change of skill requirements has been identified;
  - A3.1.6 opportunities for employees to voluntarily move to a lower banded role;
  - A3.1.7 consideration of voluntary exit.
- A3.2 If the formal pre-redundancy measures do not achieve the necessary staffing reductions, a formal redundancy situation will exist, and employees will be informed formally that their posts are at risk of redundancy. The following process will then apply.
- A3.3 The pre-redundancy measures will continue in operation to the maximum extent consistent with the formal redundancy situation.

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#### **A4. Voluntary Exits**

- A4.1 As either a pre-redundancy measure or a stand-alone scheme UKRI may decide to run a voluntary exit exercise. In this event, employees who are in scope will be invited to apply and will be informed of how to do so. Also, they will be informed what selection criteria will be used to decide which of those applying will be offered voluntary exit.
- A4.2 There is no obligation on employees to apply if invited to do so.
- A4.3 Employees who apply for voluntary exit are under no obligation to accept any offer that it is made to them as a result of them applying. If employees accept an offer of voluntary exit it is normally irrevocable.
- A4.4 Employees leaving under voluntary exit terms are entitled to three months' notice and are also entitled to receive compensation under the appropriate compensation terms as advised by the Cabinet Office periodically. Any variation to the notice period must be by mutual agreement. There is no entitlement to pay in lieu of notice under voluntary exit.

#### **A5. Voluntary Redundancy**

- A5.1 Once it has been established that a potential redundancy situation exists, and after consultation with the Trade Unions, there may be a call for volunteers for redundancy.
- A5.2 The call for volunteers will include the following information:
  - A5.2.1 the reasons for redundancies,
  - A5.2.2 the numbers of volunteers being sought,
  - A5.2.3 the proposed volunteer pool (pay bands and area(s) of work) and criteria for acceptance,
  - A5.2.4 timescales for volunteering and acceptance,
  - A5.2.5 the terms available for the redundancy, known as voluntary redundancy terms.
- A5.3 The following points will apply in the event of voluntary redundancy:
  - A5.3.1 There will be no compulsion on employees to apply for voluntary redundancy.
  - A5.3.2 It will be essential for the organisation to retain employees with the skills needed to meet future needs and therefore there is no guarantee that applications for voluntary redundancy will be accepted.
  - A5.3.3 Where employees do volunteer but have their application declined and are subsequently made compulsorily redundant as part of the same scheme, they will retain their entitlement to voluntary terms.
  - A5.3.4 Where it is possible for UKRI to make an offer of voluntary redundancy an estimate of redundancy compensation terms will be provided to help an employee make a decision on whether to accept.

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- A5.3.5 Employees may withdraw their application at any point up to the time they confirm acceptance of a formal offer. Employees who apply for voluntary redundancy are under no obligation to accept any offer that is made to them as a result of them applying. However, UKRI could make those employees compulsorily redundant at a later stage.
- A5.3.6 If employees accept an offer of voluntary redundancy it is normally irrevocable.
- A5.3.7 Leaving dates for volunteers for redundancy will be by agreement or notice of up to three months (unless they are contractually entitled to greater notice).
- A5.3.8 Outstanding accrued holiday entitlement should normally be taken prior to the last day of service.
- A5.3.9 Voluntary redundancy terms will be in line with the appropriate compensation scheme as advised by the Cabinet Office periodically.

## A6. Compulsory Redundancy

- A6.1 If pre-redundancy measures and voluntary redundancy measures do not achieve, or do not offer reasonable prospects of achieving, the required reduction in numbers, it may become necessary to move to compulsory redundancy. This will only be after full consultation with the Trade Unions.
- A6.2 UKRI will give employees and the Trade Unions the longest possible notice of a declaration of compulsory redundancy.
- A6.3 Formal compulsory redundancy measures will be implemented as detailed below.

## A7. Method of Selection

- A7.1 The exact approach to be used for compulsory redundancy selection will be determined using the factors most relevant to the redundancy situation. It is likely to require the identification of a pool of posts from which the selection is to be made based on such factors as; band, function, specialism/skill or location, or a combination of factors, coupled with as clear an understanding as possible of the future staffing needs.
- A7.2 Where the job to be lost is regarded as unique (i.e. a role that is not generally interchangeable with other roles), there will be no requirement to adopt a pool for selection for redundancy.
- A7.3 In order to ensure the retention of a balanced staffing profile appropriate to its future needs, UKRI must be able to retain those employees with relevant work skills or those employees most able to acquire them.
- A7.4 Management must therefore consider UKRI's future objectives, strategy etc, and define the appropriate scientific, technical, professional or other redundancy selection criteria that will help achieve these objectives.
- A7.5 The Trade Unions will be consulted about the proposals and selection criteria and their application before details are provided to employees and the selection process begins. Discussions will be held with employees in posts which could be considered under threat of redundancy. They will be told why their post is affected by redundancy and why they are at risk of selection for redundancy.

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- A7.6 Management will be responsible for identifying which employees should be retained and which should be declared redundant. They will ensure that the selection process is made known to all affected employees and is applied in an objective, unbiased, non-discriminatory and consistent manner. Decisions will be made by a panel of at least three people and not be made solely on the opinion of individual line managers and must be supported by documentary evidence.
- A7.7 Consideration will be given to allowing an employee not at risk of redundancy to leave on voluntary redundancy where this allows the redeployment of an 'at risk' employee.
- A7.8 Once employees have been provisionally selected for redundancy they will be invited to a meeting at which the reasons for their selection will be explained. They will then be given time to express their views.
- A7.9 Formal notice of redundancy will not be issued to any employee before they and/or the Trade Unions have had the opportunity to submit comments and these have been considered to see if they provide reason for the selection decision to be reviewed. If formal notice is issued management will, in discussion with the employee, continue to seek a suitable alternative post during the notice period.
- A7.10 On receipt of a redundancy notice employees who feel that they have been unfairly selected for redundancy will have a right of appeal.

## **A8. Redeployment**

- A8.1 In deciding whether to make an employee redundant, account will be taken of the availability of alternative posts which can be described as 'suitable alternative employment' at any site which is within reasonable daily travelling time from the employees' home. If an employee is transferred in these circumstances, reasonable excess travel costs will be reimbursed, in line with the Travel and Subsistence Policy, for a period of three years.
- A8.2 An employee facing redundancy who wishes to be considered for a post involving a move of home, may apply for a transfer if a suitable post exists at another establishment which is outside reasonable daily travelling distance. If the application is successful relocation expenses will be paid.
- A8.3 Employees will be encouraged to register on the Civil Service Jobs Portal to be able to apply for vacancies.

## **A9. Suitable Alternative Employments and Trial Periods**

- A9.1 Employees will be given every consideration for redeployment at any stage in the redundancy process prior to them leaving UKRI.
- A9.2 Suitable alternative employment is defined as a role at the same band, terms and conditions of employment, hours of work, location and current skills and abilities, which has been given to an employee who has been served notice of redundancy but before their original job comes to an end.
- A9.3 Where an employee under notice of redundancy is found suitable alternative work within UKRI, they will be entitled to a trial period without jeopardising their redundancy pay. The trial period will be for a minimum of four weeks but, by agreement, may be extended by up to a further eight weeks where a further period of retraining is necessary. The arrangements for the extension will be agreed and set down in writing.

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- A9.4 If at the end of the trial period both the employee and management agree that the job change has been successful, the notice of redundancy will be lifted, and the employee will forfeit their right to a redundancy payment (contractual and/or statutory).
- A9.5 If, either during or at the end of the trial period, there is disagreement over the suitability of the alternative employment, the employee may invoke the Grievance Procedure.
- A9.6 Should an employee on maternity leave be 'at risk' of redundancy and a suitable alternative role is identified, the role must first be offered to that employee, even if other employees are as suitable for the post. This will also be applied to those employees on adoption and shared parental leave.

In the event of a trial period not succeeding and the employee is subsequently made redundant, the redundancy terms that were applicable at the commencement of the trial period will be honoured.

#### **A10. Voluntary Downgrading**

- A10.1 UKRI will consider requests from employees for voluntary transfer to a role at a lower band, as an alternative to compulsory redundancy, provided that a suitable vacancy already exists. When an employee has been downgraded in line with this provision, current pay will be retained on a marked-time basis as per the Pay and Reward Policy. For further information, please see Appendix I of the Pay and Reward Policy.
- A10.2 Employees are advised to contact their pension scheme administrator for information on any pension rules which mitigate the effect of downgrading on their pension.
- A10.3 Where a suitable vacancy subsequently becomes available at the employee's previous higher band, full consideration will be given, in consultation with the employee, to the scope for them to move into the post, depending on their suitability. The new salary in the higher band will be calculated as their previous rate in the higher band including any pay uplifts since their downgrading.

#### **A11. Notice**

- A11.1 The minimum written notice of compulsory redundancy will be three months or as stated in the contract. Contractual notice will commence the day after the notice of compulsory redundancy is issued.
- A11.2 Employees are normally expected to work the full notice period. However, an employee who has been notified of compulsory redundancy may ask to leave at any time during the notice period. Wherever possible such requests will be granted, although consideration will be given to work needs. Employees permitted to leave early will be deemed to be redundant. However, their redundancy compensation will be reassessed to reflect the reduced length of service. Employees will not then be entitled to receive pay for the balance of the notice period.
- A11.3 Outstanding accrued holiday entitlement should normally be taken during the notice period as this will only be paid in exceptional circumstances.
- A11.4 During the notice period, (with line manager agreement) employees will be provided with reasonable paid time off to attend job interviews.

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## **A12. Compensation for redundancy**

- A12.1 All employees with two years' service who are made compulsorily redundant or who leave on voluntary redundancy will be eligible for compensation payments, as defined under the rules of the Civil Service Compensation Scheme (or the UKAEA scheme as appropriate).
- A12.2 Employees leaving by way of compulsory redundancy will be given access to information for them to estimate how much compensation they might be eligible to receive. Formal quotations will be provided to employees by HR.
- A12.3 Those to be made redundant should be reminded that if, at some future date, they are re-employed to an establishment/organisation under the same pension scheme, or elsewhere in the public sector, certain compensation payments made at the time of dismissal may be affected; in particular they may be obliged to repay some or all of any compensation payments. Any enquiries on this should be addressed to HR.
- A12.4 Employees who require information on the compensation terms that are available should refer to their pension scheme administrator's website.
- A12.5 Employees with any queries regarding the calculation of their redundancy compensation should contact HR.

## **A13. Retraining**

- A13.1 UKRI will offer training to employees facing redundancy when an additional set of skills is required in order to facilitate redeployment.
- A13.2 Employees facing redundancy will be offered outplacement services which may include retraining.

## **A14. Support for Employees**

- A14.1 During formal redundancy measures, UKRI will consider making available the services of outplacement consultants. This may comprise advice and support on:
  - A14.1.1 career advice, job hunting and applications,
  - A14.1.2 interview skills,
  - A14.1.3 starting a business,
  - A14.1.4 financial support, investing a lump sum/living on reduced income,
  - A14.1.5 stress management,
  - A14.1.6 state benefits,
- A14.2 UKRI offer a full, comprehensive Employee Assistance Programme (Employee Care) or other welfare support to its employees.

## **A15. Appeals Procedure**

- A15.1 If an employee considers that their selection for redundancy is unfair they have a right to appeal against the decision. Details of the appeals procedure can be found in the HR Policy Framework.

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Appendix B - Flowchart outlining key stages in Redundancy process

