

PERSONNEL SERVICES

University Offices, Wellington Square, Oxford OX1 2JD
Director of Human Resources

PERS(15)03



To: heads of departments and institutions, faculty board chairs,
departmental administrators and faculty board secretaries

Ref. EMS/5, EMS/6

29 January 2015

cc. heads of division, divisional secretaries, HR business partners, Ms
Neal

Revision of the procedure for ending fixed-term contracts

A revised procedure for ending fixed-term contracts has been developed following consultation with colleagues from across the University.

Key changes are:

- *the removal of the requirements to send a letter six months before the contract end date, and to include an additional, 'priority candidate' closing date in job adverts;*
- *clarification of the responsibilities of both department and employee at all stages of the employment contract;*
- *a simplified procedure for those with less than two years' continuous service; and*
- *a change to the arrangements for trial periods.*

A briefing on the new procedures will be given as part of our normal termly HR briefing sessions.

The new procedure may be found at www.admin.ox.ac.uk/personnel/end/red/endftc/ [please click Ctrl+F5 to ensure that the page refreshes].

1. Background

In 2012 a revised procedure for ending fixed-term contracts was launched with two key changes:

- 1) the three month reminder of contract expiry letter was supplemented by an additional warning letter to be sent at six months before the contract end date; and
- 2) departments were asked to advertise vacancies with two closing dates where possible, the first closing date to be only for 'priority candidates'.

However, feedback from departments indicated that these changes were not proving effective since:

- at six months before the contract end date there is often little certainty about whether a contract can be continued and the additional letter is reported to simply unsettle employees without proving to be beneficial in supporting redeployment; and
- the operational difficulties of convening selection panels on more than one occasion, and the time constraints where a recruitment at short notice is required, mean that it has proved difficult in practical terms for department to comply consistently with the requirement to include two closing dates. In addition departments reported that this arrangement can discourage external candidates.

A review of the process has looked at alternative means of providing effective support to staff employed on fixed-term contracts. Personnel Services have consulted widely with departmental administrators, HR business partners and trades union representatives on revising this process with the intention of making it as effective as possible for employees whilst also addressing the operational issues.

2. New arrangements

- The new process is expressed as a procedure for '**managing and ending fixed-term contracts**' (rather than simply 'ending') and sets out actions to be considered by all parties throughout the whole life-cycle of the contract. A fixed-term contract provides notice of its end date from the day it is issued, and the likelihood of a positive redeployment outcome at the end of the contract is positively influenced by actions taken by both individual and employing department at all stages of employment.
- The **formal notification of the contract ending** should now be sent at **three months** before the contract ends.
- There is **no longer** a requirement to advertise posts with **two closing dates**, the first being only for priority candidates. Instead departments are encouraged to consider whether a post should initially be advertised for internal candidates only (ie whether it is likely that there will be an existing employee who would have the skills to undertake the post, so this may not be appropriate for specialist posts). 'Internal only' adverts give an advantage to priority candidates whilst also minimising the administrative burden of a large recruitment exercise for departments, and the perceived unfairness of rejecting external candidates without consideration. A short 'internal only' recruitment exercise can be supplemented with a broader recruitment exercise in the event that no internal candidate is appointable.
- **The arrangements for priority candidates** have been updated. The previous procedures only applied to those with more than 12 months' continuous service and no procedure for those with shorter service was set out. The arrangements for those with shorter service have been clarified, and the threshold for eligibility to be a priority candidate has been raised to two years continuous service in line with revised statutory thresholds. Priority candidates are also encouraged to explain clearly in their letter of application how they meet the selection criteria for the post (Careers Service guidance on job search skills has been highlighted).
- **The job description template has been updated** to reflect the changes concerning priority candidates.
- The statutory arrangements for **trial periods** are intended simply to allow individuals to try out redeployment opportunities without losing their entitlement to a redundancy payment, rather than for employers to 'try out' redeployees. The arrangements for **trial periods** have been re-designed to reflect this.
- The arrangements concerning how the end of fixed-term contract process should work where a **short extension** is given have been clarified.

3. Date of effect

The new arrangements take effect immediately. However, it is recognised that there will be jobs currently advertised with two closing dates and staff who are already being managed through an end of fixed-term contract where notifications (including priority candidate covering letters) have been issued at six months before the contract end date. Departments will therefore need to exercise flexibility and discretion over the next six months. Where no



notifications have yet been issued, the new timescales should be followed. Where a process has already commenced the previous arrangements should continue.

4. Briefing sessions

The revised arrangements will be explained during this term's HR briefing sessions which will take place as follows:

Date and time	Location
4 February 2.30 - 3.30pm	Lecture Theatre, Department of Pharmacology, Mansfield Road
12 February 2.30 - 3.30pm	Room 3, University Offices, Wellington Square

To book a place please email: Daniel.oliver@admin.ox.ac.uk

5. Action required of Departments

Departments are asked:

- to attend a briefing on the revised process;
- to use the new procedure and documentation as set out at www.admin.ox.ac.uk/personnel/end/red/endftc/ [*please click Ctrl+F5 to ensure that the page refreshes*];
- not to advertise any future vacancies with two closing dates, but consider using an initial 'internal only' exercise instead;
- to use the new job description template, or update any locally-held ones by with the new wording about priority candidate applications;
- to update any other locally-held pro-formas; and
- to seek advice from their HR business partner where they need further information in particular cases.

6. Further information

The full procedure and revised pro-forma documentation can be found at

<http://www.admin.ox.ac.uk/personnel/end/red/endftc/>

MR J DUXFIELD
Director of Human Resources.

SJT/KAB

*Replaces existing circular: No
Copy for noticeboards: Yes*