

# Use of Fixed-Term and Open-Ended Employment Contracts Policy

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## 1. Introduction

We appreciate all our staff, no matter their contract type. We aim to provide stable jobs and reduce the use of fixed-term contracts, using them only when there's a clear temporary need.

This policy explains:

- When we use fixed-term or open-ended (permanent) contracts.
- When a fixed-term contract should become open-ended.
- How we handle contracts which are tied to temporary funding or projects.
- What happens a fixed-term or open-ended contract related to temporary funding is coming to an end, or in rare cases when a contract ends early for other reasons.

## 2. Who is Covered by this Policy?

This policy applies to all University employees, but it relevant to those who have:

- A fixed-term contract with a specified end date.
- An open-ended contract which is tied to temporary grants and projects.

## 3. Definitions of Fixed Term or Open-Ended Contracts

A fixed-term contract is a job contract that:

- Has a set end date but can be ended early if either side gives proper notice.
- Ends when a specific task is completed, like finishing a project.
- Ends when a certain event does or does not place, for example when funding runs out or a course is cancelled due to number enrolled.

An open-ended contract is a job contract without a set end date. These contracts can be ended if needed, by giving proper notice, for reasons like resignation, ill-health, misconduct, or redundancy.

## 4. When are fixed term contracts used?

There are times when a fixed term contract may be the best type of contract. We will only use fixed-term contracts when there's a clear business need. This is referred to as objective justification for a new fixed term post or renewal. This includes:

- Where funding is limited to a specified period and there is no reasonable or foreseeable prospect from the outset of it being extended (for example, where a research project is limited in time, money, and skills required to complete, and where further work is unlikely or uncertain).
- Where there is no reasonable or foreseeable prospect of short-term funding being renewed nor other external or internal funding being available or becoming available.
- Where a post has been established to deliver specific project/task-based work, which is finite in nature, without any anticipated requirement for such work to continue beyond that task/project.
- To provide backfill cover for activities in the absence of another member of staff who is expected to return to their post e.g. sickness, maternity leave, secondment, sabbatical, etc.
- Where there is a short-term requirement for specialist practitioners to input to specific teaching or research programmes.
- Where the student or other business demand can be clearly demonstrated as uncertain.
- Where a post has been created to satisfy a short-term/seasonal demand.

## 5. Principles of a Fixed Term Contract

As a fixed term member of staff, you can expect to:

- Clearly understand your current job status and future plans. You will be issued with a contract with the same key terms and conditions as open ended staff, including pay, leave, and pensions.
- At any time, you can ask for an explanation on why your job is fixed term and the objective justification. You can also ask for a written explanation within 21 days explaining any differences in your job compared to others with open ended contracts.
- Have equal access to training and career development opportunities. Our Researcher Development Programme offers support for our research staff.

- Get information on other roles within the University and understand how to apply for these. You will be able to apply for internal vacancies from your first day.

## **6. Contract renewal with more than four years' service**

In general, if your contract is up for renewal and you've worked with us on fixed-term contracts for four years or more without a break and your contract has been renewed before, you'll automatically become open ended, unless there's an objective justification to keep you on a fixed-term contract.

If funding for your job is uncertain and you have four years' service, we'll review your case individually. If future funding remains uncertain then you might stay on a fixed-term contract with a written explanation of why this is the case.

If you're moved onto an open-ended contract that depends on fixed term funding or a project with an end date, we'll let you know this is the case when we issue your contract.

Reaching four years of service won't be a reason for the expiry of a fixed-term contract.

## **7. Redundancy**

Most of the time, the reason for the ending of a contract will be redundancy, although sometimes it can be for other reasons, like when a staff member returns from leave and their temporary replacement is no longer needed.

Redundancy happens when:

- The amount of work decreases permanently or temporarily (e.g., loss of external funding).
- The work remains the same, but fewer staff are needed (e.g., reorganisation).
- The nature of the work changes, requiring different skills.

Redundancy can happen in open ended or fixed term contracts.

If there are multiple jobs doing the same work, and only some of the work needs to continue, we might need to select some roles for redundancy. We won't base this decision only on contract type; both open-ended and fixed-term contracts will be considered.

## **8. Process of Ending a Fixed Term or Open-Ended Contract**

This process applies when a fixed-term contract is nearing its end date or when an open-ended contract is ending due to funding or a project finishing.

### **8.1. Notification**

Around four months before your fixed-term contract is due to end, your manager and Head of Department will get a report from Human Resources about your contract expiry. For open-ended contracts where funding is ending, the Finance Office will send on this information instead.

### **8.2. Consultation**

Your manager will meet with you to talk about the options available and what happens next. If you want, you'll be able to bring a trade union representative or colleague to accompany you to this meeting. Possible options discussed with you may be:

- Renewing your fixed-term contract if funding is renewed or new funding is found
- Considering transferring you to an open-ended contract.
- Letting your fixed-term contract expire without renewal.
- Ending your open-ended contract with the appropriate notice period.
- If applicable, supporting you to find other employment through the redeployment policy.

### **8.3. Outcome**

Your manager or Head of Department will then let Human Resources know about the outcome of your discussions in time for the following steps to be undertaken:

- Where possible, three months before your fixed-term contract ends, we will confirm any changes to your contract, its expiry, or details on the end of your open-ended contract.
- If your contract won't be renewed, you'll be informed about the University's redeployment policy and where to find information on other job opportunities within the University.
- If it's necessary to end an open-ended contract due to funding ending or other reasons, the Chief People Officer must approve it. If approved, you'll then receive notice, and we'll explore redeployment and other support options available.

## **8.4. Redundancy Terms**

We pay statutory redundancy terms to staff whose contracts are terminated due to redundancy.

## **9. Appeal**

If your contract is ended due to redundancy, then you can appeal. To do this, write to the Assistant Director – Business Partnering with your reasons for appeal within 10 working days from the date you received your termination letter. Your appeal will be considered by a senior member of staff who hasn't been involved in your case.

## **10. Collective Consultation**

We know we must legally consult with staff about redundancies. This will be done according to the University's Avoidance of Redundancy Policy and the appropriate legislation.

## **11. Further Information and Support**

If you have any queries about this policy, please talk to your manager or contact [Human Resources](#). Further information and guidance, for both staff and managers, can also be found on our People Hub.

## **12. Policy Review**

This policy is reviewed by Human Resources on a regular basis. To see when the next review is due, please see our [Policy Review Schedule](#) (staff login required) on our People Hub.

As part of the Strathclyde Pledge, each year, we will review our use of fixed-term contracts.