

## Redeployment Policy

### 1 Introduction

- 1.1 The Council's redeployment policy sets out the arrangements that are in place for the Council to maximise the opportunity to secure the employment of existing staff when the needs of the organisation change or in circumstances where individuals can no longer undertake the role they were employed to do.
- 1.2 This policy and procedure aims to provide a fair, transparent and effective process for dealing with such situations, ensuring compliance with statutory requirements. It recognises that during the course of employment, some employees will be affected by changing circumstances such that they are unable to continue in the job they were originally employed to do.
- 1.3 Where these circumstances are beyond the employee's control the Council is committed to:
- maximising the opportunities to achieve the redeployment of employees in alternative job roles when their continued employment is at risk;
  - minimising the distress and adverse impact of any such change on the individuals affected;
  - retaining within the Council, wherever possible, the valuable expertise of employees;
  - minimising the cost of displaced employees to the Council as a consequence of possible payment of e.g. redundancy costs; and
  - Re-skilling displaced employees to maximise their chances of being offered another role

### 2 Scope

- 2.1 This Policy applies to:
- 2.2 Those Council employees whose continued employment is at risk due to redundancy or ending of a temporary/fixed-term contract (for employees with more than 2 years continuous service).
- 2.3 Employees who have acquired redeployment status through the Attendance Management or Performance Capability processes.
- 2.4 In order to maximise the opportunity to find alternative employment, opportunities will be sought from across the Council. However, this policy (or any amended version of this policy) may only be applied to school based vacancies with the agreement of schools' governing bodies.

### 3 Redeployment Status

- 3.1 Employees acquire redeployment status when their employment is at risk for the following reasons:

- Redundancy – as soon as they have been notified that their continued employment is at risk, in accordance with the Managing Change Framework;
- Temporary contracts - For employees with 2 or more years continuous service on a temporary contract, they will acquire redeployment status at the start of their notice period;
- Fixed Term Contracts - For employees with 2 or more years continuous service whose fixed term contract is due to end, they will acquire redeployment status as soon as they are advised by their manager that their contract will not be renewed past its natural expiry date;
- Fixed Term Contracts - For employees with 2 or more years continuous service, they will acquire redeployment status as soon as they have been issued notice to bring their fixed term contract to an end before the natural expiry date;
- Ill-health - in accordance with the Attendance Management Policy;
- Capability - in accordance with the Capability Policy.

3.2 The Council will look for suitable alternative employment for individuals until such time as they have been successfully redeployed or until the effective termination date, whichever is the sooner.

#### **4 Seeking Alternative Employment**

4.1 The Council will seek, wherever possible, to find permanent, alternative employment for employees commensurate with their experience, skills and abilities and, where practicable and appropriate, at a status and level of remuneration comparable with their former position.

#### **5 Responsibilities of Employees with Redeployment Status**

5.1 Employees are required to co-operate fully with the Council whilst efforts are made to find alternative employment opportunities.

5.2 Redeployees will be given access to the jobs prior to them being advertised internally / externally. They should advise the redeployment co-ordinator when there are jobs that they think potentially match their skill set.

5.3 Where a potential job has been identified, the same steps set out below in paragraphs 8.3 to 8.7 will apply.

#### **6 Responsibilities of Managers**

6.1 The Council expects managers to treat employees fairly and consistently and to accept a redeployee into a vacancy if the individual meets the essential criteria for the post or would do so with reasonable training.

6.2 If a recruiting manager does not consider a redeployee a suitable match, s/he will need to provide detailed written reasons to the employee and Human Resources within two working days of the matching meeting (or competitive interview decision).

- 6.3 Once a trial period has been agreed, it is the recruiting manager's responsibility to manage the trial period, including ensuring that any training and adjustments that were agreed are put in place.

## **7 Support for Employees**

- 7.1 Employees will receive appropriate advice, guidance and general support throughout the redeployment process from their manager and Human Resources. The nature and level of assistance will be that which the Council considers appropriate and reasonable given the circumstances of the case.

## **8 Identification of Potential Job Matches**

- 8.1 All vacancies will be screened by Human Resources for possible job matches against the profiles of those employees listed on the Redeployment Register. A potential job match is where the employee's experience, knowledge and skills appear very similar to the essential criteria for the post and where any shortfall could be made up within a reasonable period with appropriate training.
- 8.2 Employees on maternity leave and parents on paternity, adoption or shared parental leave have legal protection of their right to return to work. Therefore, an employee(s) on maternity, paternity, adoption or shared parental leave who are under notice of redundancy, must be offered any suitable alternative vacancy in preference to other employee(s). This means that if a vacancy that is suitable for the employee(s) exists, they must be offered it even if this means that they are treated more favourably than another employee who is in the redeployment pool. This is the case even if the other employee is better qualified than they are.
- 8.3 Where a potential job match has been identified by either the employee or HR, information may be requested from the employee to illustrate how their skills and experience meet the particular requirements of the vacancy. Human Resources will then determine whether to proceed to a meeting between the recruiting manager and redeployee to assess their suitability for the role.
- 8.4 Following the meeting between the employee and the manager, if for any reason, the manager or employee decides not go ahead with the trial period, they will need to provide written reasons to Human Resources within two days of the meeting.
- 8.5 Where more than one employee from the Redeployment Register has been matched to a particular vacancy then the manager will be asked to shortlist and then conduct competitive interviews to determine who should be offered the trial period.
- 8.6 In the event that an employee enters the redeployment pool who is a potential match to a job that has already been advertised (but has not reached the stage where a conditional offer has been made), then the recruitment to that post will be placed on hold whilst the matching / trial process takes place.

## **9. Trial Period**

- 9.1 The length of the trial period will be four weeks, however this can be extended to take account of reasonable training/re-training needs, following agreement with Human Resources and the substantive manager.
- 9.2 During the trial period, the employee will continue to be paid at the current pay grade of his / her substantive post.
- 9.3 An employee can commence a trial period within four weeks of their termination date, provided the match was agreed prior to employment ending. In this circumstance, employment will be extended to the end of the trial period. If the trial is not successful, then dismissal will take effect.
- 9.4 If a trial period does not conclude before the termination date, then the individual's employment will be extended to the end of the trial period. If the trial is not successful, then dismissal will take effect.
- 9.5 If the recruiting manager concludes, either during or at the end of the trial period, that the job is unsuitable, a further job match will be sought provided the employee's effective termination date has not passed. The recruiting manager will meet the employee to explain the reasons the trial period was unsuccessful and, specifically, how the employee fell short of the minimum requirements of the post. The recruiting manager will then confirm the reasons for the decision in writing to the employee and Human Resources.
- 9.6 Upon the successful completion of a trial period, the employee will be offered a new contract of employment for that post and the appointment support procedure will be implemented.
- 9.7 If an employee refuses the offer of a trial period or decides during or at the end of the trial that the job is unsuitable, without good reason, he/she must be made aware of the possible consequences of his/her actions. See Section 10.
- 9.8 Once an individual has been offered a trial period he/she is removed from the redeployment pool. If during a trial period an employee wishes to apply for another position, they are no longer eligible to apply for posts as a redeployee, but can apply in accordance with the Council's normal recruitment and selection process.
- 9.9 Where a redeployment trial is due to take place into a post that requires a Disclosure and Barring Service Check (DBS) and where the redeployee does not have a DBS, or requires a new DBS (see paragraph 10.4) the trial period can only commence where agreement from the Director of Adult Services / Director of Children's Services (DAS/DCS) has been given, or once the DBS is received and checked in line with the usual process.
- 9.10 A new DBS disclosure will be required for those who:
- Are redeployed from a post not requiring a check to one that does;
  - Are redeployed to a post that requires a higher level of disclosure;
  - Have not had a DBS in the last 4 years and the post requires one; or
  - Have never had a DBS and the post requires one

9.11 Prior to the trial period Human Resources will liaise with the redeployee and the recruiting manager to ensure all necessary checks, including Disclosure & Barring Service checks, are held to the necessary level, and to arrange the completion of checks.

## **10 Entitlement to a Redundancy Payment for those staff at Risk due to Redundancy**

10.1 If an employee at risk of redundancy is successfully redeployed, he/she will not be entitled to a redundancy payment.

10.2 An employee will also lose his/her potential entitlement to a redundancy payment and the opportunity to be considered for further redeployment opportunities if he/she:

- refuses without good reason an offer of suitable alternative employment;
- declines without good reason the offer of a trial period or interview for a post which is considered to be suitable by the Council;
- is dismissed for misconduct during the training/trial period;
- resigns during the training/trial period without good reason; or
- Accepts another position either within the Council, or with an employer covered by the Modification order and takes it up within 4 weeks of the old employment ending.

## **11 Redeployment Opportunities after Employment Ends**

11.1 When an employee is dismissed by reason of redundancy, he/she will retain the right to have a meeting / be interviewed for an alternative job for which he/she has applied or has been matched against prior to leaving providing that the offer of alternative employment is made within four weeks of the date of leaving i.e. the termination date.

11.2 In these circumstances the Council would withhold any redundancy payment to which the employee may be entitled until the outcome of the interview / meeting or trial period is known.

## **12 Appeals against not being job matched to a Vacancy**

12.1 If an employee believes that he/she has been overlooked/unreasonably refused for a job match he/she should appeal in writing, on the attached form, to the Head of Human Resources & Organisational Development, within seven calendar days of this decision. A written response to the appeal will be issued **within seven calendar days** of the receipt of the appeal form.

### Formal Offer of Re-deployment

The offer of re-deployment must be made in writing and within four weeks of the employee's effective termination date. The offer must specify the following: -

- the type of work to be undertaken
- the nature and length of any re-training programme agreed
- the nature of any reasonable adjustments that are to be made
- the location of the new job
- the rate of pay and other terms and conditions
- the normal number of hours per week
- the entitlement to a trial period of four weeks (or a right to a **statutory** trial period in cases of redundancy)
- the situation regarding the employee's entitlement to a redundancy payment, if any
- details of any salary protection should the appointment be confirmed
- the fact that confirmation of the appointment is subject to satisfactory completion of the trial period by the employee.