

Managing Change Policy and Procedure

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Human Resources

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1. INTRODUCTION

At times it is necessary and appropriate to review organisational structures within the Council to ensure they remain up to date and appropriate, provide value for money and deliver excellent quality services. This policy outlines the process which will be followed during times of structural change.

2. OUR APPROACH

Brent is committed to ensuring that its organisational structure delivers cost-effective and high performing services. The Council's structure may change and new ways may be introduced. Employees may need to perform new tasks, work different hours in different locations and embrace other changes to their roles. The Council is committed to following a fair and reasonable process during times of organisational change and will consult appropriately with its employees and recognised trade unions.

3. POLICY STATEMENT

This policy outlines the process the Council will be following when it has changing job requirements which result in structural reconfigurations.

Managers must work closely with Human Resources on all change programmes that impact on staff and staffing structures.

This Managing Change Policy and Procedure is non contractual with the exception of the Council's Redundancy arrangements which are contractual.

4. POLICY SUMMARY

The Council aims to prevent or minimise redundancy wherever possible but recognises that on occasions redundancies may occur as a result of reducing the number of posts available and where job functions change. Brent will endeavour to redeploy staff into new roles where possible.

This policy applies to all change proposals involving reorganisation except where:

- new posts are created;
- there are changes to line management only;
- minor changes are proposed to roles or to employees' job descriptions.

5. STAFF CONSULTATION AND ENGAGEMENT

The HR Director and the Chief Finance Officer are required to consider and approve restructuring proposals prior to the commencement of formal consultation. Managers will carry out consultation when managing organisation change with staff and recognised trade unions and will adhere to the Council's statutory responsibilities.

Consultation will specifically be in respect of:

- structural reorganisations that impact on employees
- changes to contracts of employment, other than where all individuals that are affected by the changes are in agreement;
- discretionary aspects of national agreements;
- potential redundancy;
- major changes in situations, working practices and location of employees etc; and
- changes to local procedural agreements.

Staff will be met with as a group and will be given the opportunity for a one to one meeting with the appropriate manager during the consultation process. Following consultation, and where managers are considering agreeing voluntary redundancy requests, authorisation is required from the HR Director and Chief Finance Officer prior to issuing final consultation

feed back and decisions. Their approval is also required where there are no voluntary redundancy requests, but significant changes are being made to the original restructuring proposals.

6. EQUALITY IMPACT ASSESSMENTS

It is Brent's policy to carry out proportional Equality Analysis on all structural changes as part of the collective consultation process. Equality Analysis pre-empts the possibility that a proposed change could affect some groups unfavourably. Unfavourable treatment could mean that the Council is failing to meet its statutory duties under the Equality Act 2010 to eliminate unlawful discrimination and promote equality of opportunity.

7. KEEPING RECORDS

Any formal consultation arrangement will be outlined in a consultation document. Feedback issues raised during consultation and the final structure will also be confirmed in writing.

8. DEFINITIONS AND GENERAL INFORMATION

This policy applies to all permanent and temporary Brent employees who have 12 months' continuous employment with the Council by the date of the implementation of the organisational change or change to terms and conditions of employment. Whilst, as inferred above, chief officers are in scope of this policy, there is a different process for them in respect of matching for assimilation and ring fence assessments; this is because the normal process outlined in this policy is not consistent with the Council's current arrangement for appointment to such senior management roles which is through a Member Appointment Panel (see section 25).

The policy does not apply to employees based in schools maintained by the Council where the school's delegated budget has not been suspended and where the school's Governing Body has not elected to adopt this procedure.

References to NJC Terms and Conditions do not apply to centrally-employed teachers who are employed under separate terms and conditions.

The contracting out of part of Brent's operations is not within the scope of this policy.

9. APPEAL AGAINST DISMISSAL

An employee has the right of appeal against dismissal taken under this procedure where:

- Failure to follow this policy had a material effect on the decision;
- The decision maker came to a conclusion on a material point of fact which no reasonable person could have come to;
- The decision to delete the post/select the employee for redundancy was one which would not have been reached by any reasonable person;
- There is information that the employee wishes to introduce for the first time at the appeal which the employee could not reasonably have provided to the decision maker by the time the decision was made and the absence of which had a material effect on the decision.

Appeals are not allowed on any other grounds. The decision of the appeal is final. Any appeal should be submitted within 10 working days of the date of the letter confirming the dismissal decision and must be made in writing. Appeals can be considered by convening a hearing or through written correspondence where this is preferable to both parties.

10. RE-ENGAGEMENT OF STAFF

To disallow re-employment completely on grounds that a redundancy payment has been previously paid would be unlawful. However, if re-employment occurs and certain criteria are satisfied, the redundancy payment may be reclaimed, but advice must be sought from Human Resources.

Employees made redundant and who received payments under the Council's redundancy provisions will not be eligible for re-engagement in any capacity (e.g. agency worker, consultant or directly employed on a temporary or permanent basis) within a 12 month period; any future re-engagement will also be subject to approval of the HR Director.

The re-engagement arrangements are necessary to ensure that the Council has a fair and consistent approach to re-engaging employees whose services are terminated with the Council on grounds of redundancy. The criteria set out below provide clear boundaries for re-engagement. It is not appropriate under any circumstances to re-engage an employee made redundant to undertake some or all of the duties of the redundant post occupied by the employee.

Circumstance	Applicable/Non-applicable
An employee made redundant may not be re-employed on any basis as a consultant/agency worker/temporary worker or directly on a temporary or permanent basis	<p>Applicable</p> <ul style="list-style-type: none">Up to twelve months from the last day of service; andWhere there was an entitlement to a redundancy payment <p>Not applicable</p> <ul style="list-style-type: none">Where there was no entitlement to a redundancy payment, there is no waiting period
<p>Any employee made redundant may be re-engaged on any basis i.e. as a consultant/agency worker, or directly on a temporary or permanent basis provided:-</p> <p>It is to a different unique job from the one from which they were made redundant;</p> <p>If it is to the same work it is where there is a group of generic posts and where one of these has become vacant after the redundancy situation through normal labour turnover and provided the appointment is made on merit through the appropriate procedure and/or in line with Standing Orders</p>	<p>Applicable</p> <ul style="list-style-type: none">Twelve months after the last day of serviceWhere there was an entitlement to a redundancy payment <p>Not applicable</p> <ul style="list-style-type: none">Where there was no entitlement to a redundancy payment there is no waiting period
Re-engagement or appointment on any basis to carry out the work or part of the work of a unique post that had been abolished and from which the member of staff had been made redundant	<p>Applicable</p> <ul style="list-style-type: none">No re-engagement on any basis (i.e. as a consultant/agency worker, or directly on a temporary or permanent basis) for up to one year from the last day of serviceAfter one year re-engagement in any form only after a business case has been made and approval obtained from the HR Director and Chief Finance Officer

	Not applicable <ul style="list-style-type: none"> Where there was no entitlement to a redundancy payment there is no waiting period
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11. MONITORING THE MANAGING CHANGE POLICY

The Council will regularly monitor the Managing Change Policy to ensure consistent application of it and to ensure that the standards expected of managers in its application are being achieved.

12. MATERNITY ADOPTION AND ADDITIONAL PATERNITY LEAVE

Special Considerations apply to workers on maternity, adoption, additional paternity or shared parental leave (Regulation 10 of the Maternity and Parental Leave etc. Regulations 1999) in redundancy situations.

The law requires Brent to protect an employee who is absent on maternity, adoption, additional paternity or shared parental leave, who may otherwise be dismissed by reason of redundancy, to ensure that they are not disadvantaged.

Any staff affected by restructure proposals and who are on maternity leave may be entitled to be offered a position, if one exists, in the new structure. If there is a post available that is clearly suitable alternative employment, then there will normally be no need for a selection process to take place.

13. SCALE AND NATURE OF THE CHANGE/REORGANISATION

In approaching a service or business reorganisation, managers must:

- **Define the purpose or business objective(s) of the change**, for example the need to reduce service costs by a specific date or the introduction of new service delivery methods;
- **Develop a clear proposal for change** including revised organisation and workforce structures, new ways of working, skills and workforce development requirements;
- **Review and compare the current versus the proposed organisation structure and workforce requirements** and identify any requirements for change with regard to staffing establishment, working arrangements, skills or knowledge;
- **Take account of the existing establishment** and the extent to which this would need to be changed to achieve the new business or service objectives;
- **Review current job descriptions and person specifications**, updating where necessary;
- **Write new job descriptions and prepare new structure**, clearly outlining job roles, the person specification and where each role sits within the new structure;
- **Forward new job descriptions and person specifications** for evaluation (jobevaluation@brent.gov.uk)

Type of Change Required	Impact on existing workforce	Outcomes
Function or service no longer required	Existing jobs are no longer required	Redeployment Redundancy
Function or service remains, but will be delivered differently e.g. new systems or terms and conditions or function or service to be delivered in partnership	Some job functions remain without any reduction or change in purpose	Assimilation (job matching)
	Same or similar number of staff required but the job functions, roles and/or working arrangements change and are substantially similar.	Assimilation/ Competitive Assimilation
	Same or similar number of staff required but the job functions roles and/or working arrangements change and are substantially different – ring fence.	Ring fence or Redeployment or Redundancy
Function/Service to be contracted out	Business transfer of existing job functions to new external employer.	TUPE Regulations apply

Reasons why a job may have ceased or changed substantially could include:

- The duties of the new post are so different that the nature of the job has fundamentally changed;
- A key component of the job is significantly different;
- Workloads have decreased;
- The new job requires qualifications that the old job did not;
- Terms and conditions have changed resulting in a significantly different working pattern.

Where an existing job remains, with limited changes then managers will be required to inform the affected employees and consult with them and receive any views they wish to put forward.

A change in location refers to a major relocation of the business that would require the employee to move their home or result in an unreasonable journey to and from work.

14. CHANGE OF CONTRACT

A Brent contract of employment can be changed as a flexibility clause is contained within the contract. Reasonable notice of the change will be given to the employee following consultation on the reasons for the change and consideration of the employee's views.

15. CHANGE BY MUTUAL CONSENT – DISMISSAL/RE-ENGAGEMENT WHERE NO AGREEMENT IS REACHED

Employees must agree in writing to any contractual changes. Any such agreement must be made voluntarily and the written agreement should say it has been made voluntarily.

Where the employee does not agree to the changes, the contract of employment should be terminated with notice and an offer of re-engagement made on the new terms and conditions. Brent needs to satisfy itself in these instances that:

- There is a sound business case
- The correct procedure was followed, including consulting with the employee
- Where reasonable objections to change were put forward, the employer attempted to reach some form of compromise
- The changes are free from discrimination
- A new contract is offered at the end of the notice period on the revised terms
- Attempts are made to look for alternative employment, if applicable

There will be circumstances when the Council is seeking to make changes which impact on all or a significant number of staff. In this event a collective agreement with recognised trade unions will be sought in the first instance.

16. PROGRESSING CHANGE PROPOSALS

Once managers have established the business case for change and developed proposals the following is necessary:

17. ESTABLISHMENT CONTROL

Establishment Control protocols must be followed e.g. authorisation to create or change job roles.

18. STANDING ORDERS

Check Standing Orders and delegated powers under the Constitution to see if Committee or Executive approval is required for any proposed changes. Currently, the Executive must make the decision concerning the restructure if it would or would be likely to result in redundancies of more than 20 people.

Brent's Constitution states that Members through the General Purposes Committee must make a decision concerning a restructure if it would or would be likely to result in redundancies of more than 20 people.

19. AVOIDING COMPULSORY REDUNDANCY

Brent will actively seek to minimise redundancies. Before consultation, managers should consider the ways of avoiding redundancy. These include but are not limited to:

- Natural wastage, where possible within the Council's financial constraints;
- Deleting vacant posts;
- Recruitment restrictions;
- Retraining staff;
- Reduction or ending overtime working other than contractual or emergency overtime;
- Ending the use of casual/agency workers and non renewal of temporary or fixed term contracts;
- Freezing posts which may offer the prospect of redeployment and give "at risk" staff first consideration for such vacancies;
- Voluntary reduction in hours;
- Applications for voluntary redundancy.

20. CONSULTATION

Once proposals are developed and approved, managers must ensure that staff and trade unions are properly informed and consulted.

Formal consultation should be for a minimum of 15 calendar days and for up to 30 calendar days (45 days where 100 or more redundancies are proposed). Longer or shorter periods can be agreed with recognised trade union representatives and the Operational Director, Human Resources. When the consultation has finished (which may be before the end of the recognised consultation period where the trade unions and management determine that is in

the interest of staff to conclude consultation early), and where no committee decision is required, the proposals as amended by the consultation process will be implemented.

21. CONSIDERING WHETHER THERE IS A REDUNDANCY

It will be necessary to assess if the proposals could mean making someone redundant. A redundancy will arise if an employee is dismissed wholly or mainly due to the fact that:

- Brent has ceased or intends to cease the business for the purposes for which the employee was employed or to carry on the business in the place where the employee was so employed; or
- The requirements of the business for employees to carry on work of a particular kind or to carry on work of a particular kind in a place where they were so employed, have ceased or diminished or are expected to cease or diminish.

Where redundancy is a possible outcome, the consultation must include the:

- Reasons for the contemplated dismissals;
- Numbers and types of jobs of those who may be dismissed;
- Total number of people employed in those jobs at the establishment in question;
- Proposed method of selecting those who may be dismissed;
- The proposed method of carrying out the dismissals and the period over which they will take place.

22. IMPLEMENTING REORGANISATION AND CHANGE PROPOSALS

Implementing change is a management responsibility and must be completed with Human Resources assistance to ensure a consistent and objective process. Human Resources advice and support will be required prior to implementing job-matching, ring-fencing or redundancy selection procedures. The job matching process is outlined in Appendix 1.

23. JOB EVALUATION AND MATCHING

Managers will need to review the evaluation results and carry out matching to assimilate and ring-fence jobs based on a comparison of old and new job descriptions (within a grade range of one grade up and one grade below the post being deleted or changed. In exceptional circumstances the HR Director (in consultation with the recognised Trade Unions) may vary the grade range. Human Resources can assist in this process.

24. JOB MATCHING AND SELECTION CRITERIA

Job matching and selection will always be based on job content. Comparison between old and new jobs will be based on the job description. The employee's performance in their current post and skills, knowledge and experience can be taken into account during any selection stage.

25. ASSIMILATION (JOB MATCHING WITHOUT SELECTION)

Assimilation applies where an employee is matched to a post without the need for an interview and the:

- New or existing post is available in the same service unit or Council wide if looking at functional groups (e.g. accountants across Brent) and the post is substantially similar to the post which is being deleted or changed;
- New or existing post's grade is no more than one above or one below that of the post being deleted or changed;

- There is the same number or fewer potential redeployees than available matching posts.

A match will need to be undertaken between the existing job description and the new job description. The manager will carry out the job matching process in conjunction with Human Resources.

Employees must be consulted on provisional job matches. Where there is no match, displaced employees will be placed on the redeployment register following consultation. At any stage during or following consultation they can request the opportunity to complete a skills profile form.

Where a restructuring occurs which impacts on strategic and operational director posts, staff below operational director level will not be eligible to be matched to these roles on the basis of assimilation or ring fence interviews.

Where a restructuring occurs involving strategic and operational directors, eligibility for matching for assimilation or ring fence interview will only be permissible within these two levels of management; therefore, an individual whose substantive post is at operational director level is not eligible to be matched to a post one grade lower than that of an operational director.

Nothing in the above provisions prevent staff from applying for any roles should they be advertised through the council's normal recruitment and selection arrangements.

26. COMPETITIVE ASSIMILATION (JOB MATCHING WITH SELECTION PROCESS)

Competitive assimilation will apply where substantially similar roles are available within the same service unit or Council wide if looking at functional groups but there are more potential redeployees than available matching posts.

A match will need to be undertaken between the employee's current job description and new post(s) job description(s). The job matching process is carried out by the manager with Human Resources support. Employees will need to be interviewed to decide which of them are appointed to the job(s), and other forms of assessment may also be used.

As with assimilation, staff must be considered for roles that are one grade up or one grade down from the grade of their existing post.

27. RING-FENCED INTERVIEWS

The Council reserves the right to advertise a post in the new structure that is substantially different internally or externally in the first instance to ensure the best possible appointment for posts undertaking key activities within the Council and in these circumstances ringfencing will not apply. Human Resources advice can be sought in these instances.

Ring-fenced interviews may take place where:

- a new post is substantially different to the role the employee is currently undertaking but where there is recognition that some similarities exist;
- The new or existing post's grade will be no more than one above or one below that of the post being deleted or changed;

The employee will be required to attend a ring-fenced interview and other forms of assessment may also be used. In some instances no appointment will be made.

In deciding whether at a competitive assimilation or ring-fenced interview to appoint an employee to a post, the manager must decide whether and to what extent the employee can demonstrate they meet the post's job description and person specification. The employee's performance in their current post can be taken into account, where relevant, in reaching a decision. In addition to the criteria set out in the person specification the employee's attendance and conduct record over the previous two years or since they started employment and their timekeeping record over the previous six months or since they started employment should also be taken into account.

If successful, the terms and conditions of the new role will be confirmed in writing by way of the offer of a new contract of employment and upon acceptance the employee will be deemed to have accepted the alternative job.

If an employee is ring fenced to more than one job they will be asked to indicate their preference which will be taken into consideration when making appointment decisions.

There is no right of appeal against the outcome of the job matching process. A review would only be carried out if the employee gives clear and specific reasons for why the procedure was breached. The manager who undertook the matching will normally carry out the review in consultation with Human Resources. The employee should be informed in writing of the outcome of the review.

An employee who is at risk who fails to participate in a selection process could forfeit their right to a redundancy payment. Employees who have been ring fenced can request voluntary redundancy, however, each case will be considered on a case by case basis.

28. ACCEPTING AN ALTERNATIVE POST

If an employee is offered a post as a result of the job-matching process there will be no entitlement to redundancy if the offer of new employment is rejected.

29. REDUNDANCY

The selection criteria for redundancy will be based on the skills, experience, qualifications and performance levels required to undertake the new duties i.e. the selection criteria is based on who the Council needs to keep in order to provide excellent services.

Selection criteria includes but is not limited to:

- Competence (skills and experience);
- Standard of work performance or aptitude for work;
- Attendance and disciplinary record.

There will be circumstances where a redundancy payment will not be applicable, for example, where the dismissal is not a genuine redundancy or where an offer of suitable alternative employment is refused by the employee.

Entitlement to redundancy pay will be limited to the maximum of the statutory ceiling where an offer of alternative employment with a period of development is refused by the employee.

30. VOLUNTARY REDUNDANCY

Volunteers for redundancy should be invited from the group of employees who are vulnerable to redundancy. However, the decision whether to accept a request by an employee to take voluntary redundancy is at the discretion of the Council, who will retain the employees best suited to the new jobs.

Applications for voluntary redundancy will be considered by a panel consisting of the relevant operational director, the Chief Finance Officer and the HR Director.

Applications for voluntary redundancy will be considered against the following set of criteria:

- An employee is not matched to a post in the new structure and redeployment is unlikely to be an option due to the specialist nature of the role.
- There are more employees matched to a role than available posts and a competitive assimilation selection process is necessary. Acceptance of a voluntary severance request would relieve the pressure on the pool subject to the individual not having particular skill sets required for the new role.
- There is a gap in the skills and experience required for the new role which albeit could be acquired in a reasonable period of time, the acceptance of the voluntary severance request would allow the council to recruit a person with the full range of skills and experience immediately.
- An employee is unsuccessful with a ring fence interview and wishes to take voluntary severance and waive their right to be considered for redeployment. An employee is not successful with redeployment and would prefer to be voluntarily made redundant as apposed to being compulsorily redundant.
- A request for voluntary severance will provide a redeployment opportunity for a potentially redundant employee and it is in the interest of the service to release the individual. Often referred to as a bumped redundancy (see Section 32 below).

31. BUMPED REDUNDANCY

A bumped redundancy is where an employee (who is not in the original redundancy selection pool) volunteers to be made redundant and their job is given to the potentially redundant employee. Bumped redundancies can only take place where a redundancy situation has arisen and the manager is satisfied that a bumped redundancy is in the interests of the Council.

32. REDEPLOYMENT AND SUITABLE ALTERNATIVE EMPLOYMENT

Where it is not possible to identify new roles for individuals, they will be given notice of dismissal for reasons of redundancy and be placed on Brent's Redeployment Register.

This excludes staff on temporary contracts with less than one year's continuous service, fixed-term employees with less than one year's service, agency workers and other workers not employed by the Council.

If staff are successfully matched to an available vacancy, which will normally be through a selection process, a four week trial period will apply. The agreement must:

- Be in writing and made before the employee starts work under the new contract;
- Specify the date on which the trial period will end;
- Specify the terms and conditions of employment that will apply to the employee after the end of the trial period.

It should be noted that the same redeployment process will apply where redeployment is considered on the following grounds.

Capability	Where ill health or disability affects the continuation of employment in their substantive post
	Where there is poor performance in the substantive

	post but there is potential to carry out other work, for example a demotion to a post at a lower grade
Conduct	Where redeployment has been recommended as the outcome of a disciplinary process
The termination of a fixed term contract`	Where the fixed-term employee's post is to be deleted as a result of a reorganisation
A statutory requirement which could prevent the employment continuing	For example, a driver losing their licence
Some other substantial reason	For example, where an employee has to be withdrawn from their substantive post because of a fundamental breakdown in working relationships that is not due to conduct and/or performance, however the working relationship is untenable in that it is harmful to service delivery and having a negative impact on colleagues.
Following a grievance procedure	If a grievance is upheld there may be instances where it could be appropriate to consider redeployment of one of the individuals within the council where there is evidence of an irretrievable breakdown in relationships and where a suitable alternative vacancy exists.

Redeployment priorities

Redeployment opportunities will be offered in the following category priority order. Category one representing the highest priority

Priority Category	Criteria
Category 1	Employees issued with notice of redundancy while on maternity or adoption leave or upon returning from maternity or adoption leave
Category 2	If there is no-one in redeployment category one or they have been discounted in the process, then any disabled employee who needs to be considered for an alternative role (whether by reason of redundancy or not), which includes placing that disabled employee in a suitable post without the need for any competitive interview as a reasonable adjustment.
Category 3	All other redundant redeployees
Category 4	Employees suffering from ill health (not deemed to fall within the Equality Act criteria), who are capable of fulfilling another role or employees who may be considered for redeployment following an upheld grievance.
Category 5	Employees whose incapability evidenced by poor performance requires the Council to consider alternative work
Category 6	Employees under notice of dismissal for some other substantial reason
Category 7	Employees under notice because continued employment in their current role would contravene a statutory enactment

The redeployment period will run concurrently with the employee's contractual notice of dismissal.

Redeployees will be notified of vacancies by an email alert and should they wish to, they can express an interest and make an application through the recruitment system, I-grasp. Under this process, redeployees are eligible to apply for jobs within the grade range of one up and one down; i.e. redeployees can only apply for vacancies advertised where the grade is one grade up or one grade down from their substantive grade. From the date of the e-mail alert, redeployees will have a three day deadline to submit an application. The recruiting manager and panel will have two days to consider the application and shortlist where the criteria are met. Individuals should normally meet all the essential criteria for a post. However, consideration should be given to the amount of additional training or re-training that would be required to enable the individual to meet the required competence.

The recruiting manager should seek advice from the recruitment team. Staff at risk will also have access to the interviewing skills and writing supporting statement e-learning and workshops.

Where redeployees are interested in jobs where the grading criterion (i.e. one up and one down) is not met, they have the opportunity to apply for jobs when they are advertised internally/externally in the normal way.

The primary aim of the redeployment process is to work with redeployees to seek suitable alternative posts within the council. Vacant posts in Brent will not be 'advertised' without first giving redeployees an opportunity to apply in line with the redeployment process.

If at the end of the notice period suitable alternative employment has not been found, then the employee's contract will be terminated unless:

- there has been a delay in the redeployment process, which meant that the job search was not completed within the notice period;
- a suitable position or positions are known to be imminently arising.

Any extension in notice period must have the express agreement of the HR Director.

Once the redeployment process has been completed, all remaining vacancies will be subject to normal recruitment and selection procedures.

Suitable alternative employment

Suitable alternative employment is intended to reflect the match between the employee's current or most recent role(s), their skills, knowledge, qualifications (where relevant), aptitude and capability compared with the requirements of the new post with or without further training.

If a member of staff is currently part time consideration will be given to whether a full time post could be offered on reduced hours or job share arrangement. This will always be subject to service needs.

If the post being applied for requires any form of vetting check undertaken by the Council then it will be a condition that the employee agrees to undertake such vetting e.g. DBS.

If no applications or expressions of interest are received from redeployees by the third day after the e-mail alert, the Recruitment Team will notify the Recruiting Manager and proceed to advertise the post in the normal way.

Redeployment Interview and selection process

A selection process will be carried out which may include some form of test to help establish whether or not the position is suitable for the employee.

There is no right of appeal against the outcome of redeployment selection process if the redeployee is unsuccessful.

Accepting or rejecting suitable alternative employment

There will be a four week trial period in all redeployment situations. Offers of redeployment which the Council considers to be reasonable that are rejected will result in loss of entitlement to redundancy pay.

Where the redundant redeployee accepts redeployment to a temporary/fixed term or secondment post, the new post will become their substantive post. The terms of any appointment then apply with the additional provision of time limited pay protection.

Before the end of the temporary/fixed term post or secondment, the redeployment search will recommence again 12 weeks before the date the contract is due to end provided the total period of continuous employment with the Council is one year or more.

In the event that no further suitable redeployment opportunities are available before the end of the temporary/fixed term or secondment post, a redundancy payment for those with at least two years' continuous service will apply.

If the employee has unreasonably refused a suitable alternative offer of employment, or has not engaged fully in the process, redundancy payments will not be payable.

At the end of a limited contract, redundancy payments will be met from the service the employee was originally made redundant from for up to one year. For fixed-term contracts beyond one year after the original redundancy, costs will be met by the fixed-term post holder's service.

Protection of pay upon being placed in an alternative job

Where an alternative post accepted by the employee is one grade below the employee's current grade, pay protection will apply for a period of one year. During the one year period only, the employee will receive their former salary. However, there will be no entitlement to the annual pay award or any incremental progression.

When the protected period has ended, the salary will be revised immediately and paid in accordance with the salary grade on appointment and for which protection was given. No other allowances or payments, which are not relevant to the new appointment, will continue to be paid beyond the pay protection period.

Protection is generally only based on basic salary changes, however, there may be circumstances where protection is agreed for other reasons e.g. removal of allowances. Advice from the HR Director should be obtained.

33. REDUNDANCY PAYMENTS

Employees who have at least 2 years continuous local government service (including fixed term and temporary employees with over 2 years continuous service) or related service will be eligible for a redundancy payment based on age and length of qualifying service.

For service to be continuous, any break should not exceed 7 consecutive days, running from Sunday to Saturday (except where there is a redundancy and a new job is taken up as a result of an offer made by the employer before the old job ends, in which case the break can be up to 4 weeks). Previous service will not count, for the purpose of a redundancy payment, if the employee has already received a redundancy payment for that period.

The Council's policy is to exercise its discretion to use actual average weekly pay (rather than the statutory ceiling on the amount of a week's pay) for the calculation of redundancy payments, where there are no offers of alternative employment available.

34. SEVERANCE PAYMENT

The Council also pays an additional amount in excess of the statutory redundancy payment, equivalent to half the statutory redundancy payment. This provision is part of the Council's Redundancy arrangements and is contractual. This award is made to all employees who are entitled to receive a redundancy payment. Severance will only be payable where the redundant employee meets the following three criteria:

35. PERFORMANCE HAS BEEN SATISFACTORY – there are no formal capability proceedings being progressed.

36. ATTENDANCE HAS BEEN SATISFACTORY – staff are not subject to formal procedures. The following exclusions will be made from records (where clearly notified with supporting medical evidence):

- Maternity / paternity related absence
- Industrial injuries
- Disability related absence
- Special leave (including jury service)
- One off longer term absences, e.g. broken leg, should be considered favourably, if the underlying attendance record is satisfactory (an average of 9 working days per person in a rolling 12 month period).

There are no live disciplinary warnings.

37. PENSION PAYMENTS

All scheme members may receive the immediate payment of their pension benefits, only if they are 55 or over. Please note that the scheme member must also have at least three months' membership or have transferred membership from another pension scheme.

Pension benefits are based on membership accrued up to the last day of service and are not subject to a reduction.

If benefits are paid before the employee's 65th birthday, there may be an additional strain on the pension fund. The service would be required to make good that loss over a three year period following the termination of employment.

It should be noted that the LGPS Regulations would still require the early payment of the employee's pensions benefits, even where the employee has lost the right to a redundancy or severance payment.

38. STATUTORY REDUNDANCY PAY TABLE

Age	Service (Years)																		
	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20
17	1																		
18	1	1½																	
19	1	1½	2																
20	1	1½	2	2½	-														
21	1	1½	2	2½	3	-													
22	1	1½	2	2½	3	3½	-												
23	1½	2	2½	3	3½	4	4½	-											
24	2	2½	3	3½	4	4½	5	5½	-										
25	2	3	3½	4	4½	5	5½	6	6½	-									
26	2	3	4	4½	5	5½	6	6½	7	7½	-								
27	2	3	4	5	5½	6	6½	7	7½	8	8½	-							
28	2	3	4	5	6	6½	7	7½	8	8½	9	9½	-						
29	2	3	4	5	6	7	7½	8	8½	9	9½	10	10½	-					
30	2	3	4	5	6	7	8	8½	9	9½	10	10½	11	11½	-				
31	2	3	4	5	6	7	8	9	9½	10	10½	11	11½	12	12½	-			
32	2	3	4	5	6	7	8	9	10	10½	11	11½	12	12½	13	13½	-		
33	2	3	4	5	6	7	8	9	10	11	11½	12	12½	13	13½	14	14½	-	
34	2	3	4	5	6	7	8	9	10	11	12	12½	13	13½	14	14½	15	15½	-
35	2	3	4	5	6	7	8	9	10	11	12	13	13½	14	14½	15	15½	16	16½
36	2	3	4	5	6	7	8	9	10	11	12	13	14	14½	15	15½	16	16½	17
37	2	3	4	5	6	7	8	9	10	11	12	13	14	15	15½	16	16½	17	17½
38	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	16½	17	17½	18
39	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	17½	18	18½
40	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	18½	19
41	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	19½
42	2½	3½	4½	5½	6½	7½	8½	9½	10½	11½	12½	13½	14½	15½	16½	17½	18½	19½	20½
43	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21
44	3	4½	5½	6½	7½	8½	9½	10½	11½	12½	13½	14½	15½	16½	17½	18½	19½	20½	21½
45	3	4½	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22
46	3	4½	6	7½	8½	9½	10½	11½	12½	13½	14½	15½	16½	17½	18½	19½	20½	21½	22½
47	3	4½	6	7½	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23
48	3	4½	6	7½	9	10½	11½	12½	13½	14½	15½	16½	17½	18½	19½	20½	21½	22½	23½
49	3	4½	6	7½	9	10½	12	13	14	15	16	17	18	19	20	21	22	23	24
50	3	4½	6	7½	9	10½	12	13½	14½	15½	16½	17½	18½	19½	20½	21½	22½	23½	24½
51	3	4½	6	7½	9	10½	12	13½	15	16	17	18	19	20	21	22	23	24	25
52	3	4½	6	7½	9	10½	12	13½	15	16½	17½	18½	19½	20½	21½	22½	23½	24½	25½
53	3	4½	6	7½	9	10½	12	13½	15	16½	18	19	20	21	22	23	24	25	26
54	3	4½	6	7½	9	10½	12	13½	15	16½	18	19½	20½	21½	22½	23½	24½	25½	26½
55	3	4½	6	7½	9	10½	12	13½	15	16½	18	19½	21	22	23	24	25	26	27
56	3	4½	6	7½	9	10½	12	13½	15	16½	18	19½	21	22½	23½	24½	25½	26½	27½
57	3	4½	6	7½	9	10½	12	13½	15	16½	18	19½	21	22½	24	25	26	27	28
58	3	4½	6	7½	9	10½	12	13½	15	16½	18	19½	21	22½	24	25½	26½	27½	28½
59	3	4½	6	7½	9	10½	12	13½	15	16½	18	19½	21	22½	24	25½	27	28	29
60	3	4½	6	7½	9	10½	12	13½	15	16½	18	19½	21	22½	24	25½	27	28½	29½
61+	3	4½	6	7½	9	10½	12	13½	15	16½	18	19½	21	22½	24	25½	27	28½	30

APPENDIX 1

Brent Assimilation, Competitive Assimilation and Ring-Fencing Procedure

A matching process should be carried out based primarily on agreed and up to date job descriptions. Managers should carry out all job matching by:

- Evaluating the new post and grade before conducting any proposed matches;
- Reading the current and new job descriptions;
- Comparing the job descriptions using the rating scale below on a factor by factor basis
- Completing the matching table and providing evidence to back decisions

Rating Scale

2	1	0
No change	Minor Change	Significant Change

Minor Change

A minor change is defined as minor changes to job descriptions (posts substantially similar).

Significant Change

A significant change is a change to job descriptions that make the new posts substantially different.

Assimilation/Ring-fencing criteria

Assimilation and ring fencing is limited to a maximum of one grade up or one grade down.

Assimilation

Assimilation occurs when:

- The old and new posts are substantially similar (one grade up or one grade below);
- There are the same number or fewer potential employees than available matching posts.

Competitive Assimilation

Competitive assimilation occurs when:

- There are more potential redeployees than roles available and the roles are substantially similar;
- A maximum of one grade up or one grade down exists and the role is deemed as a suitable alternative by management.

It should be noted that the organisation will appoint to all vacant posts where a competitive assimilation applies and the Council cannot choose not to appoint.

Ring fencing

Ring fencing may occur when:

- Displaced (unmatched) employees are potentially matched to posts as although there is not a match there are some similarities between posts;

- A maximum of one grade up or one down exists and the role is deemed as an alternative by management.

It should be noted that there is no guarantee that ring-fenced staff will be appointed to a ring fenced-role.

Exceptions

A person will not be assimilated/competitively assimilated or ring fenced where the employee:

- Fails to produce satisfactory DBS;
- Does not have a driving licence for a driving job;
- Does not possess an essential qualification for the job.