

REDEPLOYMENT PROCEDURE

1 Scope

- 1.1 This procedure applies to Council employees who have been issued with:-
- notice of redundancy; *or*
 - notice of dismissal because they are unable to continue working in their existing job due to ill health or disability
- 1.2 This procedure does not apply to schools-based employees.

2 Redeployment Principles

- 2.1 The Council will take reasonable steps to reduce the need for dismissals to occur by providing a framework for the:-
- redeployment of employees under notice of redundancy
 - redeployment of employees who are unable to continue working in their existing role due to ill health or disability (and where adjustments cannot be reasonably made to enable them to continue in their current job)
- 2.2 Employees will be eligible for redeployment throughout the period of their notice of redundancy or throughout the period of their notice of dismissal on grounds of ill health or disability.
- During the relevant notice period employees will have the opportunity to see and express an interest in Council vacancies that could constitute suitable alternative employment before these are generally advertised. If at the end of the relevant notice period suitable alternative employment has not been found, the employee will be dismissed.
- 2.3 Where the work of a vacant suitable alternative post is being performed by an agency worker, consideration may be given to displacing that worker with a redeployee with the appropriate skills and abilities in order to avoid redundancy.
- 2.4 The following posts will not normally be considered by the Council to be suitable alternative employment opportunities:-
- the post will be deleted within 6 months or less (e.g. due to funding); *or*
 - the post is within a service area that is being restructured and has not been confirmed as remaining in the new structure; *or*
 - vacancies are held in order to provide the service with the flexibility to respond to significant changes in service demand

- 2.5 The law provides for special protection for employees on Maternity Leave, Adoption Leave and Shared Parental Leave. Where an employee is selected for redundancy (i.e. it is confirmed that their job has been deleted) then he or she must be offered any suitable alternative position where there is one. He/she doesn't need to apply for it. This applies even where there are people considered more suitable for the job.
- 2.6 The Council considers that a job will be a suitable alternative offer of employment where:-
- The vacant post is at the **same grade** as the redeployee's substantive grade; *and*
 - The redeployee has the qualifications, skills and competencies required in the person specification; *and*
 - The working conditions (e.g. hours of work, working patterns) between the old job and the new job are broadly comparable.
- 2.7 Where the job is a suitable alternative offer of employment for more than one redeployee, a competitive selection process will be used.
- 2.8 Redeployees will have the option to request that they be considered for:-
- Opportunities at one grade below their substantive grade on 6 months' salary protection; *and/or*
 - Opportunities at two or more grades below their substantive grade on no salary protection
- 2.9 Redeployees will not be considered for posts above their substantive grade. Redeployees may apply for these posts should they be advertised in the usual way.
- NB:** Nothing in this procedure prevents or constrains a redeployee from applying as an employee for jobs above or below their substantive grade. However such applications will not form part of the redeployment process or be considered to be reasonable alternative employment.
- 2.10 Employees who apply for and are offered voluntary redundancy terms will not be provided with redeployment opportunities.
- 2.11 The redeployment period for an employee accepting payment in lieu of notice will be reduced to the extent that the notice period has been reduced.
- 2.12 The criteria at 2.6 will not apply to individuals employed via graduate trainee and/or apprenticeship programmes who are subject to a job search at the end of their training contract. These will be subject to an assessment of their skills in order to determine the appropriate grade of posts considered as redeployment opportunities.

3 The Redeployment Process

- 3.1 The manager of an employee in an 'at risk' group (i.e. meet the criteria in 1.1 above) will meet the employee to explain the redeployment procedure, their responsibilities under the process, and the support to be offered.
- 3.2 The manager will notify the HR&OD Recruitment Team when an employee becomes eligible for redeployment (i.e. when the employee is issued with the relevant notice of redundancy or dismissal).
- 3.3 Redeployees have the opportunity to apply for vacancies for up to one week before these are advertised either internally or externally. Redeployees are responsible for checking regularly for potential redeployment opportunities.

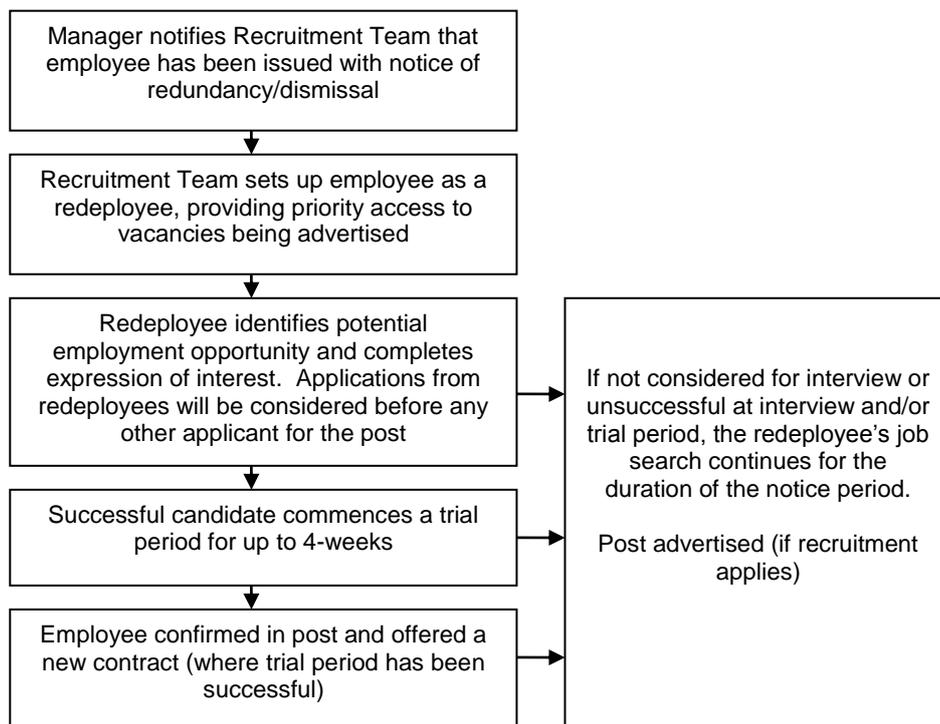


Diagram 1: Summary of the Council's redeployment process

- 3.4 A redeployee who sees a vacancy which they believe they are suitable for should contact the Recruitment Team immediately and complete an expression of interest to the Recruitment Team. The recruitment will be suspended pending the completion of the following steps.
- 3.5 Where a redeployee submits an expression of interest, the Recruitment Team will forward this to the vacancy's manager. The manager will judge the employee's suitability by objectively considering the employee's skills, abilities and experience against the requirements of the job and person specification.

Note: Managers must consider whether the employee has the potential to meet the essential requirements of the job and person specification with a limited amount of training/coaching.

- 3.6 The vacancy's manager will interview and/or test the redeployee for the job where the redeployee has the relevant skills, abilities and experience. If the redeployee is successful at interview, they will be offered the job on the basis of a four-week trial period. Unsuccessful redeployees will return to the redeployment pool. Managers may, at their discretion, offer the job on a four-week trial period as an alternative to interviewing and/or testing.

Interviews and any occupational testing will be conducted in accordance with the principles of the Council's *Recruitment Policy*.

- 3.7 There is no right of appeal against the outcome of a redeployment interview but employees may request feedback.
- 3.8 During the redeployment period, managers will regularly review the situation of redeployees. For employees seeking redeployment on health, disability or performance grounds, these reviews should normally be undertaken within the framework of the relevant Council procedure (e.g. managing sickness absence or capability).

4 Trial Periods

- 4.1 If the employee meets the requirements of the post, they should be offered a four week trial period, during which the manager will monitor and assess their suitability.
- 4.2 In exceptional circumstances the four week period can be extended for re-training purposes if both sides agree. In which case the manager must confirm the arrangements in writing, stating when the trial period will now end.
- 4.3 If during the trial period either the employee or the manager can demonstrate that the post is not suitable, either party can end the arrangement and the employee will retain their entitlement to a redundancy payment. The redeployment period will resume and continue for the remainder of the employee's notice period. If the notice period has expired, the employee will be made redundant.

Note: Redundancy payments will not be payable where an employee unreasonably refuses an alternative offer of employment.

- 4.4 If the trial period is successful, employment in the new job will continue and the employee will have no further entitlement to a redundancy payment. The new manager will write to the employee to confirm the terms of the new job.

5 Redeployment and Pay

- 5.1 Redeployment is to a job of the same grade; where this occurs, the employee's substantive salary level (i.e. the spine point) will be maintained.
- 5.2 Where an employee requests and is accepted for redeployment to a job one grade below their current grade, the employee's salary will be protected for a maximum of six months.

5.3 A new contract of employment, setting out the salary and applicable terms and conditions, will be issued where the employee is successful following a trial period.

6 Redeployment due to Ill Health or Disability

6.1 In cases of redeployment due to ill health or disability (i.e. not redundancy):-

- redeployment will be considered on the basis of advice given by the occupational health service (OHS) on the types of work the individual is capable of undertaking
- when considering the suitability of a vacant role for a disabled employee to whom the Equality Act 2010 applies, the Council will reasonably consider if adjustments can be made to enable the employee to undertake the role
- when offering an alternative position as a reasonable adjustment and to avoid dismissal, a relaxation of the principles set out in 2.6 may form part of that adjustment (for example, a post one grade higher may be offered provided it is suitable in the circumstances)
- where an alternative position is identified, it will be offered on the grade applicable to the role. Where an employee accepts redeployment to a job one grade below their current grade, the employee's salary will be protected for a maximum of six months

7 Temporary Redeployment

7.1 Employees may be offered temporary redeployment to either a fixed-term post or to cover for employee absence (e.g. cover for maternity leave) where this would have the benefit of retaining the employee in employment for a period of time.

7.2 Temporary posts would not normally be considered to be suitable alternative employment and employees who refuse an offer of a temporary post will not normally lose their entitlement to a redundancy payment.

7.3 Where a temporary post is accepted, both the substantive and new managers must agree in advance the arrangements for funding any subsequent or increased redundancy payment. When the temporary post ends the employee will be dismissed on grounds of redundancy and will be paid redundancy pay in accordance with Council policy.

7.4 Temporary redeployment will be offered at the Council's absolute discretion.

8 Support during Redeployment

8.1 All employees who have been served with notice of redundancy will be granted reasonable paid time off to look for work, attend interviews and/or undertake training to improve their job prospects. Employees must agree suitable times with their managers; and requests will not be unreasonably refused.

8.2 The Council will seek to provide redeployees with:-

- counselling and emotional support to redeployees dealing with issues relating to redundancy;

- assistance to help redeployees analyse their skills and experience;
- coaching and/or training in CV writing skills and interview techniques

Support will be dependent on availability and cannot be guaranteed to take place during a redeployee's notice period.

8.3 The Council's independent employee assistance programme provider may be used by employees affected by redundancy situations.

9 Working during Notice of Dismissal

9.1 Employees will normally remain at work during their notice periods.

9.2 The Council may ask employees to carry out alternative duties during their notice period. Typically, this will be required where a post has been deleted but the employee's notice period has not expired. Managers must consult with the employee and take individual circumstances into consideration.

9.3 In some circumstances, the Council may agree for an employee to leave the organisation without a redeployment search or with pay in lieu of the notice period where it is in the interests of both parties.

9.4 The Council may require employees not to attend work during their notice period. In these circumstances, employees must be available to attend work should their services be required.

9.5 An employee who requests to leave the Council prior to their expiry of their notice period will not be entitled to receive pay in lieu of the remaining period of notice. Depending on the circumstances, the right to a redundancy payment could also be affected.