



REDEPLOYMENT POLICY

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1.0 Introduction

The following sets out the Council's policy on redeployment for all employees and gives guidelines on the procedure to be followed in considering and applying redeployment within the Council.

Redeployment can be described as the transfer of an employee to an alternative job within the organisation. A clear framework setting out agreed principles, incorporating fairness and consistency is essential.

2.0 Scope

Redeployment should be considered:

- For an employee who is unable to continue in or return to their post for health reasons;
- For an employee unable to continue in their post for other reasons (e.g. incapability, change in personal commitments/circumstances, issues relating to bullying/harassment, etc).
- As a means of avoiding or mitigating a redundancy situation.

The council should ensure that redeployment possibilities are fully explored in all such situations prior to any decision to terminate employment.

It is in the Council's interest to seek to retain the benefit of an employee's skills and experience where possible and to continue to gain from any training investment, etc. It is however, important to balance the needs of the employee with the needs of the organisation.

Under employment legislation, the Council is required to demonstrate that it has fully explored redeployment in all dismissal cases other than discipline. Failure to do so could result in a claim for unfair dismissal being justified against the Council.

Some employees will be easier to redeploy than others, whilst certain jobs and occupations will be more difficult to fill through redeployment. Each case must be considered individually, taking into account all the relevant circumstances.

Where the associated costs of redeployment could significantly affect a placement being made, consultation between the Head of Human Resources and the relevant Head of Service must be held, prior to any decision being taken.

3.0 Principles

The Personnel Section within the Human Resources Division has responsibility for the development and implementation of the policy and procedure, together with the overall co-ordination and management of the process. It is also responsible for providing advice and support to both managers and individuals in this regard.

Managers and supervisors have the main responsibility for ensuring that redeployment is considered in all appropriate circumstances. Managers have a key role in ensuring the employee is fully supported and regularly updated during the redeployment process.

Employees are expected to understand the policy and comply with the procedure, and to be realistic about the job or other options.

4. Main Categories of Redeployment

4.1 Redeployment for Medical Reasons

Redeployment should be considered when the Occupational Health Physician has declared the individual unfit for the essential duties of his/her post.

4.2 Redeployment for Reasons of Incapability, Change in Personal Circumstances, Harassment/Bullying etc.

This situation may include employees who themselves request redeployment (e.g. to a less demanding job). In all cases, account must be taken of individual needs and circumstances. Whilst every effort should be made to accommodate genuine difficulties, redeployment cannot be guaranteed. Where appropriate, the Harassment Policy should be referred to.

4.3 Redeployment for Potentially Redundant Employees

In circumstances where the Council's need for a particular post reduces, redeployment should be considered to prevent redundancy arising. In the case of redundancy, redeployment opportunities will be prioritised for pregnant employees, from the point that they inform the council of their pregnancy, and for those on maternity leave, adoption leave or shared parental leave.

The above list is not exhaustive.

5. Procedure

5.1 Consultation Process

Once the need for considering redeployment has been identified, the employing manager with assistance from the Personnel Section, should start the consultation process with the employee and their trade union representative.

The reasons for consideration of redeployment should be carefully explained to the employee. However, all parties need to be clear as to who initiated the discussions. Usually this would be the employing department but occasionally an individual employee may inquire about redeployment on a personal basis.

Where an employee agrees to be redeployed, the Personnel Section should forward a copy of the redeployment personal profile for the employee to complete, and they should then arrange to meet with the employee to assist in its completion.

The profile aims to provide an all-round picture of the employee and details the transferable skills/abilities, experience and knowledge the employee can offer the Council. It also enables the employee to give information about the kind of jobs they would be interested in, the locations, hours, etc. they could work.

During this meeting, the Personnel representative should discuss the employee's work/career aspirations, needs and interests with them. Realistic opportunities for redeployment should be explored and any initial training needs identified.

The employee should retain a copy of the profile and details of any vacancies should be confirmed to the employee. A copy of the Job Opportunities sheet should also be sent out on a weekly basis to the employee. The profile should then be used by the Personnel Section to match the employee to any existing vacancies.

5.2 Consideration of Suitable Vacancies

The Personnel Section will consider all potentially suitable vacancies. Suitable employment usually means a post that matches an employee's profile and is of a similar grade (i.e. one grade higher or one grade lower). Consideration should initially be given to vacancies within the employing Department or Directorate. Employee preferences should be taken into account.

Where an employee has been matched to a potentially suitable vacant post, no action should be taken to fill the vacancy until the employee has been able to fully explore the opportunity, i.e. by having an informal discussion with the

line manager to find out more about the job. Where the employee wishes to be considered for an opportunity which has been advertised (either internally or externally), they will be expected to apply for the vacancy in the normal way. Where the employee suffers from a relevant disability and meets the essential criteria, they will automatically be offered an interview.

Where more than one employee has expressed an interest and are matched against the same vacancy, an interview should be held with the appropriate line manager(s) and representative from the Personnel Section. This will be the same as the usual recruitment and selection interview.

If following the interview, it is concluded that the employee is not suitable for a particular post for valid reasons, this should be explained to the employee. An explanation should also be provided, if an employee is not 'matched' against a particular post.

An appropriate and reasonable time will be given in which opportunities are sought by the relevant manager, the Personnel Section and the employee. The seeking of opportunities must not unduly delay other processes under which the employee may be being considered, i.e. capability. It would be expected that the redeployment procedure in such circumstances would operate alongside other programmes of support.

If no suitable post is found or redeployment is not achieved within six months, then the employee would be given the appropriate notice of termination in accordance with their contract of employment. The Council would continue to look for suitable alternative posts during the notice period.

If the employee and manager conclude that there is a serious possibility of redeployment into a particular job, the employee may need to be referred to the Occupational Health Physician to confirm their medical fitness to undertake the duties of the post (e.g. where redeployment is due to ill health).

Following medical clearance, where appropriate, the employee should be placed in the post for a trial period of usually 12 weeks, with a minimum of four weeks. The trial period is to enable the employee to find out about the job, its conditions and undertake any essential induction or initial training. It also allows management to make an objective assessment of the employee's suitability for the post. The Personnel Section should confirm the arrangements in writing.

Following the trial period, there should be a further interview to review the position and to consider confirming the employee's appointment on a permanent basis. A further but more limited trial period may be negotiated at which point training needs should be reviewed again and appropriate arrangements agreed.

After the interview or following any further successful trial period, the employee should be formally redeployed into the post. This should be

confirmed in writing by the Head of Human Resources and a revised contract of employment etc. issued.

An employee has the option of rejecting an opportunity where there are valid reasons, taking into account alternative vacancies.

However, they should be advised that failure to accept a reasonable redeployment offer may result in termination of employment due to no other posts being available.

If an employee rejects a redeployment opportunity which is considered by the Head of Service to be appropriate, they will have one further opportunity for redeployment but only where one is available and time-scales allow.

5.3 Disability and Redeployment

The majority of disabled people become disabled during their working life. As an employer, the Council must consider how best to make reasonable adjustments to retain or redeploy an employee who has particular needs or whose existing condition has changed or is deteriorating, thereby seeking to ensure that the employee is not put at a substantial disadvantage in their job.

These considerations are not only requirements under Equality Act 2010, but also an integral part of good management practice and the promotion of equal opportunity.

When considering redeployment opportunities managers will need to consider whether the new post can, if necessary, be adjusted. Effective adjustments include:

- Changes to duties and/or allocating to another employee minor tasks which could not be done by the disabled person;
- Providing practical aids and technical equipment;
- Changes to contracted hours, working arrangements, etc.

6. Development and training for redeployment

Employees facing redeployment, for whatever reason, will need help and support in considering alternative jobs and roles, and also the possible loss of a job if redeployment efforts are not successful.

It is important that line managers dealing with potential redeployment consider arranging appropriate training and other support in consultation with the employee and the Personnel Section.

The training programme may need to take into account any particular or additional needs of a disabled employee which could include specific training

to use any adaptations or special equipment provided and/or extending the training over a longer period.

A range of grants and equipment to assist employees with disabilities to cope effectively at work may be available through Job Centre Plus. The Personnel Section should be contacted for details.

7. Protection of Earnings

If the grade of the post is lower than the employee's grade, the full salary, allowances and benefits will be protected for a period of six months after confirmation into the post. The protection period may be extended at the discretion of the Head of Service who will consider the merits of each case.

Where an employee reduces their working hours, their salary would be paid on a pro rata basis.

Where the remuneration is less than previously earned, there may be arrangements/schemes in operation with the local Job Centre Plus which may make it easier for an individual to accept employment on a lower salary. The Personnel Section should contact Job Centre Plus to determine whether the employee qualifies for any allowances that may be in operation at that time.

Other changes to conditions of service should be discussed and negotiated in conjunction with the Personnel Section. Cases must be considered on an individual basis.

8. Trial Period

An employee would not normally be entitled to more than two redeployment attempts.

Managers should monitor the progress of redeployment in a fair and objective manner against criteria agreed with the employee beforehand. Proper induction and briefing into the new post will be an essential part of a successful redeployment.

A trial period is a temporary appointment and will give no automatic entitlement to the employee being made permanent until the review period is complete and a decision made about the employee's suitability.

During a trial period, an employee's original post may be filled on a temporary basis. It would normally only be filled on a permanent basis when the employee is confirmed in the new post or agrees to the post being filled beforehand.

9. Criteria

The following criteria are suggested for determining whether or not a trial period has been successful. This should be agreed in principle with the redeployed employee before the trial starts and form the basis for review discussions between the employee, manager, Personnel Section and Trade Union representative (if applicable), on a regular four-weekly basis during the trial period. The manager may believe it necessary to meet more often and this must be confirmed to the employee.

- Has there been sufficient induction to the work place and the job?
- Has there been appropriate initial on the job training of skills and knowledge?
- Have agreed performance targets been met overall?
- What has been the employee's use of resources such as finance, people, equipment and information technology?
- What has been the employee's relationship with any internal or external customers during the trial period?
- What has the employee's relationship with other employees been like?
- What has been the employee's level of attendance at work during the trial period?
- If there have been absences or lateness, what were the reasons for these?
- Have any specific needs been met (e.g. adaptations for those with disabilities)?
- Other criteria relevant to the job.

10. Termination of Employment

Where consideration for the redeployment has arisen from the capability procedure, and it has not been possible within reasonable timescales to find suitable alternative employment for the employee within the Council, the relevant Head of Service would consider terminating the contract of employment under the Council's capability policy.