

Human Resources

Redeployment Policy



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SECTION ONE: POLICY STATEMENT

1. Policy Statement

- 1.1 Chelmsford City Council recognises the contribution of all staff to delivering the services it provides and is committed to retaining staff in employment where this is consistent with the overall aims of the Council, operational requirements and its statutory obligations.
- 1.2 This Policy outlines the required principles and processes as they apply to the redeployment of employees. The requirement for redeployment may arise as a result of:
 - Disability, illness or injury where the occupational health advisors have declared the employee permanently unfit to fulfil their existing role, and / or where it is agreed that the employee should be redeployed on medical grounds. Disability is as defined within the Equalities Act 2010.
 - Redundancy as a result of reorganisation and restructuring within the Council. This may also include the ending of a fixed term contract where the reason for termination or non-renewal falls within the definition of redundancy.
 - Capability.
 - Other.
- 1.3 For the purposes of this policy, employees requiring redeployment will be deemed as 'At Risk' of termination of employment.

2 Scope

- 2.1 This policy applies to all full and part time employees with over two year's service and any other employee who, by virtue of their length of service, has acquired employment protection rights.
- 2.2 However, the Council is committed to good employment practice and will seek to redeploy all employees who have successfully completed their probationary period.

SECTION TWO: POLICY IMPLEMENTATION

3 Roles and Responsibilities

3.1 Directors and Service Managers will;

- 3.1.1 have primary responsibility for redeployment of at risk employees;
- 3.1.2 liaise with Human Resources to seek suitable redeployment opportunities for at risk employees;
- 3.1.3 ensure that at risk employees are given priority consideration for vacant posts within their service area, provided that the employee meets the essential criteria for the post, or has the potential to meet the criteria within a reasonable timeframe with additional training;
- 3.1.4 consider and implement reasonable adjustments for disabled employees requiring redeployment;
- 3.1.5 ensure that employees on maternity, adoption or additional paternity leave are provided with redeployment opportunities;

3.2 Employees will;

- 3.2.1 have a shared responsibility with the Council in seeking redeployment;
- 3.2.2 adopt a reasonable and flexible approach when considering alternative posts within the Council;
- 3.2.3 attend occupational health service / medical appointments where relevant / appropriate;
- 3.2.4 contribute to the identification of reasonable adjustments to work arrangements or post duties where relevant / appropriate;
- 3.2.5 indicate they are an 'At Risk' candidate on any application for internal posts within the Council;
- 3.2.6 complete the redeployment profile, (Appendix I), with support and assistance from Human Resources.

3.3 Human Resources will;

- 3.3.1 support the fair and consistent application of this policy;
- 3.3.2 ensure that at risk employees are given priority consideration for vacant posts within the Council provided the employee meets the essential criteria for the post or has the potential to meet

the criteria within a reasonable timeframe with appropriate training;

- 3.3.3 provide advice to directors, line managers and staff on the application of this policy;
- 3.3.4 make arrangements for appropriate additional training where required;
- 3.3.5 support and assist employees to complete the redeployment profile, (Appendix 1).

4 Key Principles

- 4.1 At risk employees who meet the essential criteria for a vacant post, or could do so within a reasonable timeframe with appropriate training and support and / or reasonable adjustments will be given priority consideration in advance of other internal and / or external applicants.
- 4.2 Priority consideration will be for posts on the same or within one grade higher or lower than the employee's substantive grade, (Refer 9.18 re pay protection).
- 4.3 Employees on maternity, adoption or additional paternity leave have a legal entitlement to priority as far as suitable alternative employment is concerned. Under the Maternity and Parental Leave, etc, Regulations 1999, (SI 1999/3312) and the Additional Paternity Leave Regulations 2010, (SI2010/1055 / Regulation 28) such individuals must be offered the suitable alternative post in advance of anyone else who is also at risk of redundancy provided the post is both suitable and appropriate as determined by the Council.
- 4.4 Where there is more than one at risk employee eligible for redeployment into a post, there will normally be a competitive process amongst candidates. However, consideration will be given to the individual circumstances of each case, in particular the extent to which the employee is at risk of redundancy, dismissal or requirements under the Equality Act 2010. Further advice should be sought from Human Resources.
- 4.5 In accordance with the Council's Safer Recruitment Procedure, Section 8, at risk disabled employees will receive a guaranteed interview for jobs where they meet the essential criteria for the post or could fulfil the essential criteria for the post within a reasonable timeframe with appropriate training and support and / or reasonable adjustments, (within the terms of the Equalities Act 2010).

- 4.6 Employees with continuous fixed term contracts of two years or more with the Council will have access to the redeployment process. However, Managers should consult Human Resources in all cases where there is the potential for the redeployment of fixed term contract employees.
- 4.7 There is no requirement for the Council to create posts to enable redeployment to take place.

5 Medical Redeployment

- 5.1 Human Resources will manage the redeployment of employees resulting from ill-health, injury or disability.
- 5.2 Occupational Health will be asked to provide assessment, reports and advice as appropriate.
- 5.3 In accordance with the Equalities Act 2010; prior to confirmation of the need to redeploy an employee, an assessment will be undertaken, with consultation between the employee, line manager and occupational health, (as appropriate), to determine whether reasonable adjustments can be made to either the work environment or specific duties of the post in order to avoid the need to seek redeployment.
- 5.4 Where redeployment is confirmed as appropriate, the process identified at Section 8 will apply.
- 5.5 The redeployment period will commence once the requirement for redeployment has been confirmed, (normally by occupational health), and will normally run for a maximum period of three months.
- 5.6 If redeployment is not an option due to the health or circumstances of the employee or the lack of suitable alternative vacancies or where reasonable adjustments are inappropriate or inadequate, consideration will be given to recommending termination of employment on the grounds of capability.

6 Redundancy Redeployment

- 6.1 The Council is obliged to consider redeployment opportunities in an attempt to find a suitable alternative position for employees under notice of dismissal by reason of redundancy.

- 6.2 Following implementation of reorganisation / restructuring, redeployment will be available to displaced permanent employees.
- 6.3 The redeployment period will commence once the employee has received notice of dismissal by reason of redundancy and will run concurrent with the employee's notice period.
- 6.4 If an employee unreasonably refuses an offer of suitable alternative employment, (suitable as defined in 9.4), any entitlement to redundancy pay will be forfeited and the employee will leave the council at the end of their notice period. The employee will be regarded as having been dismissed by reason of redundancy and as having refused an offer of new employment.
- 6.5 If an employee accepts an offer of a suitable alternative post and successfully completes the trial period, they are treated as not having been dismissed and the question of a redundancy payment will not arise.
- 6.6 At risk employees will continue to receive the rate of pay of their current post until they are placed in a new post, when they will receive the rate of pay applicable to the new post, subject to the Council's normal pay protection arrangements, (Refer Pay Policy and Procedures Section 4.3).

7 Capability Redeployment

- 7.1 Human Resources will manage the redeployment of employees with performance capability issues as identified by the Council's Capability Procedure.
- 7.2 The redeployment period will commence once the Capability Hearing has identified that redeployment is appropriate and will last for a period of three months.

8 Other Redeployment

- 8.1 Redeployment may occur as a result of the implementation of other Council policies and procedures. This will be managed by Human Resources on a case by case basis.

9 Redeployment Process

A flow chart to illustrate the process is included as Appendix 2.

- 9.1 Once the requirement for redeployment has been identified / confirmed, Human Resources will meet with the employee in order to explain the redeployment process and complete a Redeployment Profile, (Appendix 1). The employee may be accompanied at this meeting by a trade union representative or work colleague.
- 9.2 Human Resources will search for suitable current or imminent posts within the Council and will maintain regular contact with the employee and notify them of any suitable vacancies that arise.
- 9.3 The employee should also monitor internal vacancies and discuss any posts of interest with Human Resources.
- 9.4 The following criteria will be used to determine whether the alternative employment is both suitable and appropriate:
 - The nature of the work, especially the fit with the skill set, experience and /or aptitude of the individual.
 - Working arrangements i.e. hours of work, shift arrangements etc.
 - Level of responsibility relative to previous position.
 - Grade
 - Location
- 9.5 The Council will determine what constitutes suitable alternative employment in each case.
- 9.6 Employees who wish to be considered for a specific post will be required to submit a completed application form and will be advised to clearly mark their application 'At Risk'.
- 9.7 Provided that the employee meets the essential selection criteria for the post, they will be asked to attend an interview, (letter template at Appendix 3), with the relevant Service Manager and a representative of Human Resources. It is important that this process is carried out as quickly as possible and that appropriate records are kept using relevant documentation from the Council's Safer Recruitment Procedure.
- 9.8 Selection will be made against the person specification. At interview, the employee must be able to demonstrate that they meet the key criteria on the person specification, but also show that they have the potential to meet the criteria in full, within a reasonable timeframe with appropriate training and support and / or reasonable adjustments where relevant.
- 9.9 If the employee is successful, they should be redeployed into the vacant post with the appropriate trial period (refer 9.12).
- 9.10 If the employee is unsuccessful, the normal recruitment process may resume and the employee will remain at risk.

- 9.11 Employees who are unsuccessful at interview will be entitled to feedback which will be provided by the line manager.
- 9.12 There will be a trial period of 4 weeks in the alternative post, to enable both the manager and the employee to assess whether the job is a suitable and successful match. The trial period can be longer, for re-training purposes, if agreed before the trial period begins. Managers should consult Human Resources before agreeing an extended trial period.
- 9.13 During the trial period the manager will monitor the performance of the employee and conduct and keep a written record of weekly review meetings to discuss progress.
- 9.14 Successful completion of the trial period will result in the individual being appointed to the alternative post and the redeployment process will end.
- 9.15 If the trial period is unsuccessful the individual will either;
- resume the status of an at risk employee for the remainder of any unexpired notice period, or;
 - may be deemed to have unreasonably refused an offer of suitable alternative employment, (refer 6.4), and will forfeit any redundancy payment, (where applicable). Employment will terminate at the end of the notice period.
- 9.16 Where a temporary position is offered and accepted during an employee's notice period the notice is considered to have been suspended and will re-commence, for the remaining, outstanding notice period, at the end of the temporary contract.
- 9.17 The Council's normal pay protection provisions will apply where the alternative employment is of a lower grade but is considered, by the Council, to be suitable alternative employment. However, where an employee applies for, and is appointed to, a lower graded post which had not been identified by the Council as suitable alternative employment; there will be no protection of salary. (Refer Pay Policy & Procedures Section 4.3)
- 9.18 Where, no suitable alternative post is identified during the employee's redeployment period, dismissal will take effect at the end of the notice period. The employee will receive confirmation of their reason for dismissal as appropriate.
- 9.19 Human Resources will maintain a list of at risk employees. This list will record information on vacancy details sent to the employee during the redeployment period together with details of posts the individual has applied for with a note of the outcome.

- 9.20 Human Resources will keep the record of the job matching process for each employee for a period of 12 months following the last day of service.

Version Number	Creation Date	Changes Made	Changes Authorised by	Date of Change
Version 1:0	12.06.2012	New Policy	F Agyei	01.07.12

Appendix I

Employee Redeployment Profile

This form is to record personal details / circumstances, experience, skills, qualifications and other relevant information to help in looking for suitable alternative work for you.

Name:		Title:	
Address:			
Contact telephone number(s):			
Email address:			

Current Job

Job Title:		Grade & Salary Point:	
Current Hours:		Location:	
Nature of duties:			

Job/Work History (*summarise for clarity*)

Job and nature of duties	Employer	From/To

Relevant qualifications (including academic, job related, and others e.g. driving, first aid, Information Technology etc). *List as bullet points for clarity*

Experience, Skills and Competencies (these may have been acquired through paid employment, voluntary work or hobbies / family life, attendance on training courses). List as bullet points for clarity

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Future Employment Requirements

Hours/working pattern	
Is full time or part time work required?	
If part-time, approximate no. /range of hours per week. :	
Any restrictions on times / weeks / pattern / days available?	

Geographical area that is considered accessible/any travel/transport limitations, e.g. distance prepared to travel/method of transport etc:

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Medical / health restrictions / requirements as recommended by the Council's Occupational Health Service:

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Any reasonable adjustments required / identified / being pursued at this stage):

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Access to Work – Is financial / other support being applied for via the 'Access to Work Scheme' **YES / NO** if **Yes** give details of the current position

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Nature of work/Type of Job considered suitable for redeployment

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Learning and development needs identified to assist redeployment

Agreed training and development needs	Agreed Action to address needs

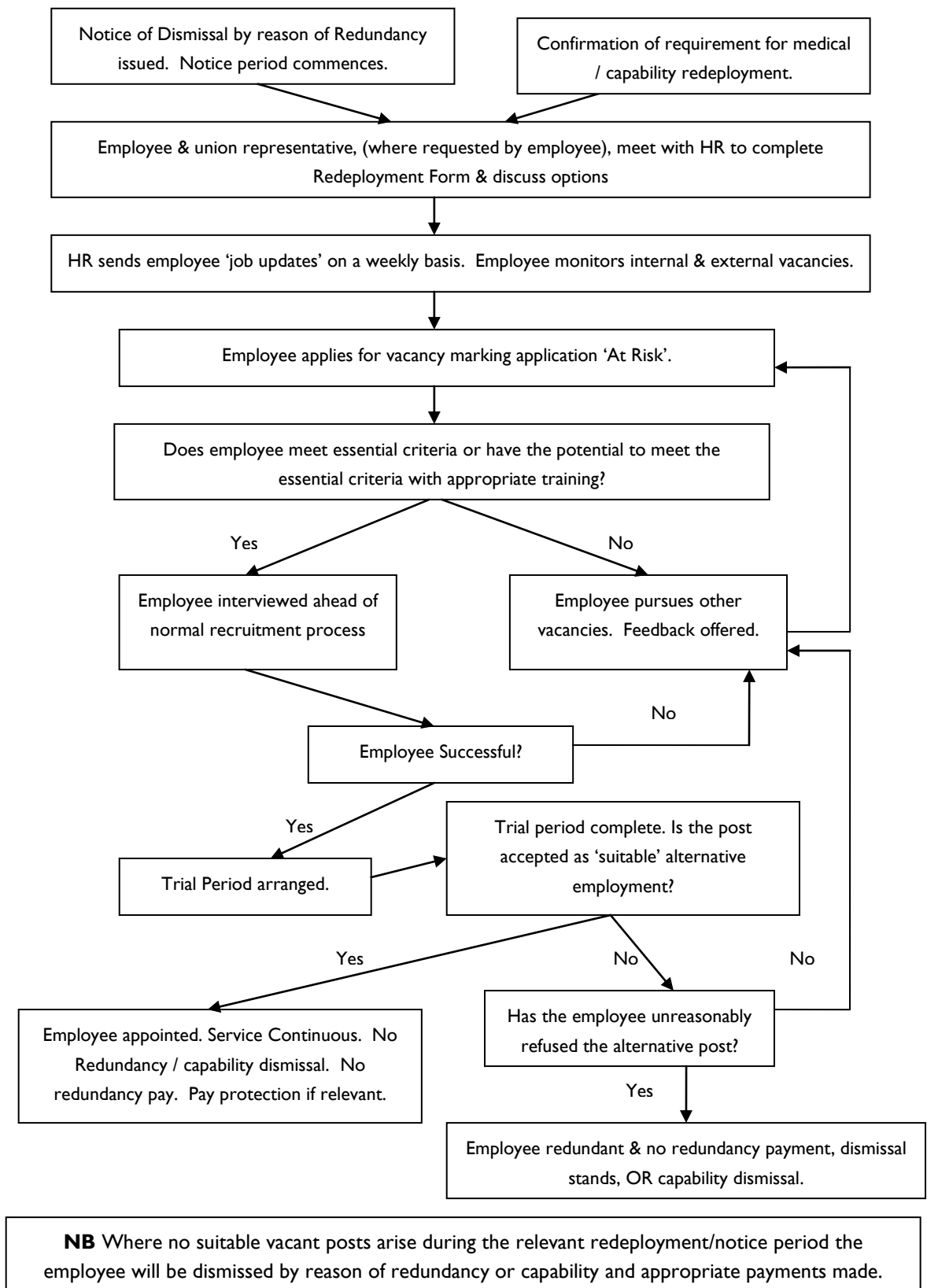
I acknowledge that the information contained on this document will be held on file and treated confidentially in accordance with the requirements of Data Protection Act and used to assist the identification of suitable redeployment opportunities and will, therefore, be shared with relevant parties, as appropriate, to assist in this process.

Employee Signature:		Date:	
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Name of HR Business Partner:	
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Appendix 2

Redeployment Process



APPENDIX 3

REDEPLOYMENT INTERVIEW

Letter inviting the employee to a meeting to discuss suitable alternative employment

Guidance: *Please be aware that this is a guidance document only and should be tailored to suit the individual circumstances.*

Template:

Dear

I am pleased to confirm that the following role has been provisionally identified as suitable alternative employment.

Job title: <enter details>

Directorate: <enter details>

Service area: <enter details>

Grade/Salary: <enter details>

Working hours / pattern: <enter details>

In accordance with the Council's Redundancy Policy, an interview has been arranged for you to meet <enter manager and title> at xxx on xxx in xxx.

The purpose of the interview will be for both you and <enter manager> to assess the suitability of the role by reference to the job description and essential criteria of the relevant person specification. <If some form of assessment is required please enter details here>

At the meeting you will have the opportunity to ask any questions that you may have about the position.

A member of HR will contact you and the manager following the meeting. Should it be determined that this is suitable alternative employment, a formal offer will be sent to you, including details of the trial period. You will then need to accept or reject within seven days of the date of the letter.

Where relevant <Please be aware that should the Council decide that you have unreasonably refused an offer of suitable alternative employment then you may forfeit the right to a redundancy payment>.

Please contact me on the above number if you have any questions.

Yours sincerely[]

Version Number	Creation Date	Changes Made	Changes Made By:	Authorised/Checked?	Date of Changes
I.2	June 2012	Replaced two ticks with disability confident	HR Team	Y	Oct 2016
I.1	June 2012	Rebranded to City	HR Team	Y	Sept 2012
I.0	June 2012	-	F Agyei	Y	01/07/2012