

Redeployment Policy



ORGANISATIONAL DEVELOPMENT

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Version Control

This document is intended for:

- Council staff only School-based staff only Council & School-based staff

Version	Key Changes	Approved By
Apr 2020	Reformatted only	DMT
Aug 2022	'Alternative to Dismissal' text removed; advice contained within the Disciplinary Policy and Procedure	OD
Feb 2024	Application form added as an appendix; minor updates throughout including renaming the Redeployment List as the Redeployment Register	DMT

This document may be reviewed and amended at any time and without consultation in response to legal requirements or in response to an organisational requirement and where the changes do not reflect a fundamental change or affect the spirit or intent of the document.

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1. Purpose

The Council is a dynamic organisation where service provision and employees' personal circumstances may be subject to change. The Council therefore recognises that it has a duty of care to support and assist employees in cases where redeployment is considered. In some cases, consideration for redeployment is a legal requirement such as in redundancy or disability cases. In general, however, the circumstances in which this Policy should be considered are when an employee:

- Is at the risk of redundancy or becomes displaced following an internal re-organisation/restructuring exercise or at the end of a contract where the employee may have gained certain employment rights.
- Suffers ill health to the extent that they are unable to continue with the duties of their current job but may be well enough to carry out the duties of other jobs within the Council with particular reference to the Equality Act 2010.
- Is offered as an alternative to suspension or dismissal.
- Is offered as a solution to certain cases of bullying and harassment.
- Is offered as a result of, or as a recommendation of, an internal process in line with another policy.

Whilst the Council is committed to this process it cannot be guaranteed that suitable alternative employment will be available in every case.

It should be noted that this Policy does not cover those employees who wish to consider alternative employment for personal or promotional reasons. In these circumstances the employee is advised to apply for employment opportunities through the usual recruitment process and discuss any concerns with their manager. It is also important to refer to the [Capability Policy \(Performance Improvement\)](#) for any matters relating to the employee's performance.

2. Scope

This Policy applies to all employees of the Council with the exception of school-based employees who are employed through a Governing Body.

3. Consultation

The Council will consult with recognised Trade Unions and the employee when redeployment to alternative employment is being considered. A workplace companion may also be allowed to support an employee in certain circumstances.

4. What is Redeployment?

Redeployment within the Council relates to the process used in those circumstances whereby an employee becomes displaced as a result of the reasons detailed in Section 1. It confirms the Council's commitment to identify posts, wherever possible,

that are deemed to be a suitable alternative in terms of the nature of the work and/or the level or grade. Consideration will be given to the employee's skills, experience and where required, their suitability for retraining together with any other details held on the Application for Redeployment Form (see Appendix 1).

The Redeployment Process (see [Appendix 2](#)) sets out the stages and timescales. **It does not guarantee that suitable alternative employment will be found for all those who are considered under this process.** It does, however, offer a fair and consistent approach to dealing with these circumstances.

In all cases, consideration will be given to:

- the relevance of an employee's skills, qualifications, abilities and experience to the requirements of the post
- the practicality and cost of re-training
- the salary and hours of work, although posts at a lower salary level or hours will be considered at the request of the individual. *Pay protection will not be considered in the event of an employee voluntarily requesting and accepting a post at a lower salary or hours of work*
- ensuring that there is minimal additional inconvenience

5. The Redeployment Register

Organisational Development (OD) operates a Redeployment Register in order to manage the redeployment process. The Redeployment Register contains relevant employee details so that exact matches can be identified against any suitable employment opportunities. An employee can expect to remain on the Redeployment Register for up to a maximum of 12 weeks, in line with their formal period of notice.

It is expected, when redeployment for a member of their staff becomes necessary, that managers will look within their own service area in the first instance. However, where there are no such opportunities, employees on the Redeployment Register will be responsible for identifying potential suitable alternative employment opportunities from positions advertised as "redeployment opportunities", via the normal recruitment process. This will of course be subject to the employee meeting the minimum criteria.

Employees will remain in their substantive post for the duration of their time on the Redeployment Register. Where this is not possible, discussions will take place on suitable options with the employee and their manager.

6. What is suitable alternative employment?

There are some clear principles that would usually ensure that suitable alternative employment would:

- (a) be on the same or similar salary level, excluding promotional opportunities

- (b) require similar qualifications and experience or afford the employee the opportunity to achieve the qualifications and/or experience through relevant training where the employee aspires to achieve them

It must be noted that alternative employment can only be achieved where there is mutual co-operation between all parties and an employee may not unreasonably refuse an offer of suitable alternative employment as this could ultimately jeopardise their entitlement to redundancy pay where applicable. In cases where an employee disputes that a post is suitable then they must provide written justification of their reasons to their manager within 5 working days. Advice on these matters can be sought from the appropriate Trade Union representative.

In certain situations the principles around the criteria for redeployment and what constitutes suitable alternative employment will be discussed with the relevant Trade Unions particularly in cases where there may be a need to avoid compulsory redundancies.

7. Situations where redeployment may be considered in line with the Redeployment Policy

Redundancy and Restructuring

The Council will make every effort to ensure that redeployment opportunities are sought at the earliest possible stage prior to formal discussions on possible redundancy. However, employees who are under notice of redundancy or who become displaced following a restructuring exercise will be subject to consideration for redeployment in line with the [Redundancy Policy](#). The employee will be placed on the Redeployment Register at the point that they are formally identified as being 'at risk', which is usually when they are formally issued with notice of termination. The employee will be advised of the process for applying for redeployment opportunities when they are first placed on the Redeployment Register.

In cases where more than one employee expresses an interest in the same redeployment opportunity and all meet the minimum essential criteria, or could do so with reasonable training, each employee must be interviewed and assessed objectively. Reference should be made to the [Recruitment & Selection Policy](#) where appropriate and all relevant forms should be fully completed throughout the process. The same process will apply to ring-fenced situations where certain staff are identified as being eligible to be considered for a post following a restructure.

Where an employee takes up an offer of alternative employment they have a right to a 4 week trial period. During the trial period, the employee's salary should be maintained at least at the previous level. If the trial period is completed satisfactorily then the employee will be formally offered the post and all relevant details will be agreed. In cases where it is decided not to pursue the redeployment, reasons will be confirmed in writing and agreement will be reached on the next steps.

In extenuating circumstances and where the business case dictates, it may be necessary to extend the trial period beyond 4 weeks. As far as possible, agreement on the duration must be reached prior to the commencement of the trial period.

Redeployment arising from health-related issues

In the case of capability issues related to health matters, consideration should be given to all reasonable adjustments that can be made to the employee's substantive post such as a reduction in hours, a re-design of the role and its responsibilities, the purchasing of appropriate equipment and re-training that may assist the employee in undertaking their duties. If the manager is satisfied that no adjustments can be made then redeployment should be considered, with particular emphasis on re-training where appropriate. Reference should be made to the [Attendance Management Policy](#) for further supporting information. The Occupational Health Adviser will play a key role in this process in terms of identifying the type of suitable work that the employee can reasonably be expected to undertake and what additional support may be required, including support from external agencies.

8. Situations where redeployment may be considered on a discretionary basis

Alternative to Suspension or Dismissal or in Cases of Bullying and Harassment

The Redeployment Policy is principally used to support those employees who are displaced as a result of restructuring, redundancy or issues relating to ill health. The process can also be used in certain cases of suspension, serious misconduct or harassment. However, each of these situations should be considered in line with the individual circumstances of the case.

Suspension

Where a member of staff is subject to investigation and consideration is given to suspension, then the manager must also consider any alternative options to this course of action. The issue of suspension should be discussed with OD and consideration should be given to such actions as temporarily redeploying the employee to an alternative post or restricting certain duties for the duration of the investigation.

Clearly the manager should consider the specific circumstances of the case and a decision should be made based on the evidence available, the level of risk to the Council or the employee and any adverse impact the decision to temporarily redeploy the employee may have on the investigation and/or the service. It is recognised that these situations are often sensitive and it is therefore important that such circumstances are handled appropriately.

All discussions should be noted and the employee should be fully informed of any redeployment and the relevant terms in writing.

Cases of Bullying or Harassment

In cases of bullying or harassment it may be necessary to consider redeployment of one of the parties as a measure to resolve a difficult case. In situations where the case is proven and the perpetrator remains within the service area following official action, the complainant may be given the option to move if a suitable alternative post can be identified. As stated, it is assumed that the perpetrator, if proven, would be subject to the relevant disciplinary procedures.

9. Redeployment Process

This process must be followed when redeployment has been triggered.

- Following a discussion with the employee, the Manager, OD or nominated representative will arrange for them to complete an Application for Redeployment Form (see Appendix 1) that will assist in identifying suitable alternative employment. The employee should return the completed form to OD within 5 working days. Employees should be offered support during the redeployment process.
- The employee is placed on the Redeployment Register held within OD and notified in writing of the process for applying for redeployment opportunities.
- Posts available as redeployment opportunities will be advertised on the Council's website, for a period of 5 working days, during which time only those individuals on the Redeployment Register will be able to express an interest in them via the completion of a short Form.
- On the closing date, any expressions of interest will be reviewed for eligibility by OD.
- Suitability will be determined using appropriate selection techniques, typically interviews and additional selection tests, depending upon the specific circumstances.

When considering suitability, the employing department must consider not only whether the employee is immediately able to do the job but also whether they may be able to do so after reasonable training and support. If this is the case, the job may be offered on a trial basis for 4 weeks, or for a longer pre-agreed period, after which time suitability will be reassessed in light of any training and support provided. If within the trial period the job is not considered suitable for the employee by either the employing department or the individual, the reasons will be communicated to the other party in writing and where appropriate the employee will remain on the Redeployment Register for the agreed period. Examples of "reasonable support and training" may include:

- *Making reasonable adjustments to work equipment or programmes to enable a disabled person to carry out the job.*

- *Providing IT training to an individual who has limited IT skills.*
- *Offering a full induction and an opportunity for the employee to display their skills.*
- The employee remains the responsibility of the original employing department until suitable alternative employment is confirmed. If the suitable alternative employment is temporary **i.e. less than 12 months** the employee returns to the responsibility of the original employing department at the end of the temporary period. In this circumstance, the employing department will maintain responsibility for redundancy pay and/or pension strain costs if applicable.
- Following the interview for any redeployment opportunity, if the employee is considered unsuitable, they must be advised of the reasons in writing and a meeting should then be held with the employee and current manager to discuss the next steps of the process.
- In all cases, employees should refer to the vacancy list and apply for any relevant promotional opportunities in line with the normal Recruitment Procedure.

10. Responsibilities during the Redeployment Process

The success of the redeployment process depends on the co-operation of managers, OD and the staff involved, which will assist in minimising the unsettling effects of change on the employee.

Manager's Responsibilities

The manager, with support from OD, is responsible for ensuring that the Redeployment Policy is followed, for keeping relevant written records and for keeping employees informed and supported throughout the process.

All opportunities for redeployment within the manager's directorate should be considered at the outset of the process.

Managers must understand that the employer is obliged to accept an employee, where essential criteria is met, for a trial period and where successful, they should offer the post to the displaced employee. Failure to do so may result in them having to justify their decision at an Employment Tribunal.

It is essential that all redeployment situations are handled with discretion and confidentiality and that employees are treated sensitively throughout the process. Staff in a Trade Union should seek appropriate advice.

Employee's Responsibility

Successful redeployment will be based on mutual co-operation between all parties. Employees placed on the redeployment Register will be required to complete an Application for Redeployment Form (see Appendix 1).

It should be noted that the employee also has a responsibility for co-operating with the Council in matters related to redeployment and to be flexible in their approach by:

- Actively engaging in the process and being willing to consider all opportunities.
- Undertaking training that may assist in their redeployment.
- Making themselves available for interviews.
- Completing and submitting application forms when required.
- Attending review meetings or, where appropriate, Occupational Health appointments.

Employees will also be allowed reasonable time off to attend interviews (internally and externally), training and relevant discussions, etc.

In cases where an employee does not wish to pursue a reasonable offer of redeployment, they must put the reasons for this in writing to OD.

OD's Responsibility

To support this Policy, the redeployment Register will be maintained by OD which contains details of employees who are seeking alternative employment (for the reasons described within this Policy).

OD will identify from the Redeployment Register those employees who meet the essential criteria of the vacant post.

11. Refusal of Redeployment

If the employee refuses to engage with the Redeployment Policy or turns down an offer of potentially suitable alternative employment they must do so in writing, outlining the reasons for refusal. If it is considered that an employee has unreasonably turned down offers of suitable alternative employment within the redeployment period, they will be advised in writing that their continued employment with the Council may be at risk.

It is important to note that the employee may jeopardise their entitlement to redundancy if they refuse offers of suitable alternative employment. For this purpose, it is important that all offers are clearly communicated and recorded.

Reasonable grounds for refusal must be based on clear evidence of non-suitability due to skills/experience, substantial change to the nature of the work, etc.

Any disputes relating to suitable alternative employment or any aspect of the implementation of this Policy should be referred to the relevant Head of Service and the Head of OD (or nominated officers), who will review the circumstances and whose decision will be final.

12. Consideration for Redeployment – Time Limits

The length of time for which employees will be retained on the Redeployment Register and considered for potentially suitable alternative employment will depend on the circumstances under which they have been referred. In addition, the following time limits will apply:

- (a) Any redeployment opportunity will be subject to a 4 week trial period. Subject to prior agreement, this period may be extended to conclude any retraining. A work trial agreement should be drawn up at the outset of the trial period so that all parties are clear about timescales and the process.
- (b) Employees who are under notice of redundancy will remain on the Redeployment Register for the period of notice (up to 12 weeks). This can again be reviewed in exceptional circumstances.
- (c) Employees will be removed from the Register if employment is terminated in line with relevant policies and legislation e.g. Discipline, Attendance Management, etc.
- (d) In all redeployment situations there may be a need to discuss the use of a structured induction, particularly where an employee is going into a new employment field. This will need to be agreed between the employee and the manager at the outset of the redeployment.

13. Maintaining Records

It is important that confidential records are maintained for every employee who is subject to redeployment, which should consist of:

- Copies of any correspondence sent to the employee.
- Copies of any correspondence received from the employee.
- Dates of referral to the Redeployment Register.
- Details of posts offered to the employee.
- Details of reasons for refusal of any suitable alternative employment.

This will be the responsibility of OD, who will ensure that Data Protection Act 2018 requirements are applied.

14. Ensuring Equality of Treatment and Compliance with Legislation

This Policy must be applied consistently to all staff who are subject to redeployment irrespective of those covered by a protected characteristic. All relevant employment legislation will be adhered to in relation to this Policy.

15. Other Policies and Procedures

Where appropriate, the Council will utilise any other policies and procedures to support the employee through the redeployment process.

Application for Redeployment



Cyngor Bwrdeistref Sirol

Blaenau Gwent

County Borough Council

SURNAME:	
FORENAME:	
ADDRESS:	
PAYROLL NUMBER:	
PREFERRED CONTACT DETAILS:	

DO YOU POSSES A FULL DRIVING LICENCE?

YES

NO

DO YOU HAVE USE OF A CAR?

YES

NO

QUALIFICATIONS

LEVEL / SUBJECT	GRADE	DATE ACHIEVED

ARE YOU CURRENTLY STUDYING FOR A QUALIFICATION? IF SO, PLEASE PROVIDE DETAILS BELOW.

EMPLOYMENT HISTORY

CURRENT POST

JOB TITLE:	
GRADE OF POST:	
DATE APPOINTED:	

PREVIOUS POSTS HELD

POST TITLE	GRADE	EMPLOYER'S NAME	FROM / TO

PROSPECTIVE EMPLOYMENT

DO YOU HAVE ANY STIPULATIONS IN RESPECT OF PREFERRED WORKING HOURS (I.E. FULL-TIME / PART-TIME WORKING)?

PLEASE INDICATE THE TYPE OF WORK/POSITION YOU WOULD BE INTERESTED IN (E.G. CLERICAL / ADMINISTRATIVE, MANUAL, ETC) AND OUTLINE ANY SKILLS / EXPERIENCE / INTERESTS WHICH YOU FEEL MAY SUPPORT YOUR APPLICATION.

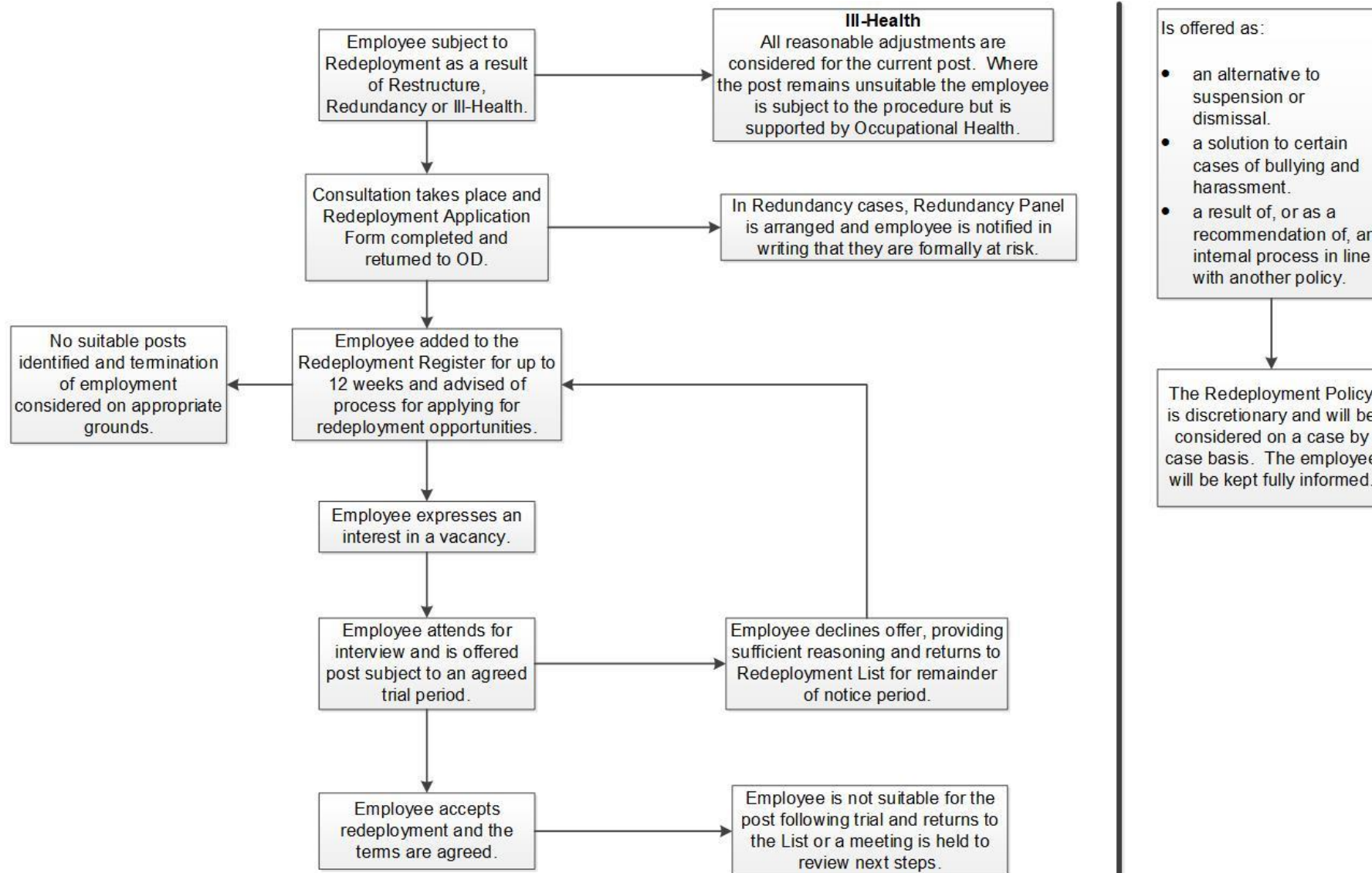
SIGNATURE:

DATE:

FOR ORGANISATIONAL DEVELOPMENT USE ONLY

POSITION REFERENCE:	
DATE OF TERMINATION:	
REASON FOR TERMINATION:	
DATE FORM RECEIVED:	

Appendix 2: Redeployment Flowchart



Is offered as:

- an alternative to suspension or dismissal.
- a solution to certain cases of bullying and harassment.
- a result of, or as a recommendation of, an internal process in line with another policy.

The Redeployment Policy is discretionary and will be considered on a case by case basis. The employee will be kept fully informed.