

Implementing the HR Codes of Practice

Redeployment Procedure

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March 2009



Aim of the Procedure

The aim of this procedure is to:

- ❖ enable the College to meet its legal obligation to redeploy any employee who cannot continue in their current role into a suitable available alternative role.
- ❖ balance the needs of the College for effective and competent staff with its legal obligations as an employer.

Categories of redeployee

Employees who require redeployment will fall into the following categories:

- 1 Category 1: employees who have been advised that they are at risk of redundancy at the end of a period of formal consultation regarding organisational change¹.
- 2 Category 2: employees with a disability² which independent specialist advice has confirmed cannot be accommodated in their current role through reasonable adjustment.
- 3 Category 3: where redeployment has been recommended as an appropriate outcome following a formal process such as grievance, disciplinary or remedying poor performance
- 4 Category 4: employees with a year or more continuous service whose fixed term contract is due to end within three months.

¹ Women whose post has been made redundant whilst they are on maternity leave have an automatic right to be offered a suitable alternative post if this is available or they will be deemed to have suffered sex discrimination.

² As defined by the Disability Discrimination (Amendment Act) 2005



Suitable Alternative Role

A suitable alternative role is one that an employee can reasonably be expected to undertake where:

- the job is broadly similar in nature to the employee's current role or can be regarded as within the career path of the employee's profession
- there is no significant difference between the essential criteria of the role and the redeployees qualifications, skills and experience
- the employee is able to meet the requirements of the person specification within the trial period¹ and with reasonable support or training
- the job is on the employee's current grade or no more than 1 grade below it
- any loss in status can be eased by allowing the employee to grow in the job following development activity
- the new post causes no significant disruption to the employee's personal circumstances arising out of the working arrangements e.g. working hours and location

Opportunities which effectively constitute a promotion² for the employee, will not normally be considered to be suitable alternative employment.

¹ Trial periods will vary from 4 to 12 weeks depending on the difference between the employee's current role and the new role. Please see the section on trial periods for additional information

² For Academic and Research positions, the decision as to whether a particular role constitutes suitable alternative employment rests with the sectoral Vic Principal or equivalent

Key Concepts

Redeployment Procedure



Responsibilities

The effective redeployment of staff requires the collaboration of:

- 1 Managers with staff to redeploy
- 2 The employee requiring redeployment (the redeployee)
- 3 Managers with suitable vacancies
- 4 Human Resources

Managers with staff to redeploy

Managers with staff to redeploy are responsible for actively supporting the redeployee by:

- Considering any internal vacancies within their own department which might be suitable.
- Advising the redeployee of any other vacancies within the College of which they are aware that might be suitable.
- Where necessary, registering on RedList, the College's redeployment database, on behalf of the redeployee and advising the redeployee of any suitable matches in good time¹.
- Regular meetings with the redeployee to review progress.
- Where requested, arranging for redeployees to attend a CV preparation and interview skills workshop through the Human Resources Department.
- Allowing redeployees reasonable time off for job search and to attend interviews.

Employee Requiring Redeployment (Redeployees)

Employees requiring redeployment are responsible for:

- Actively seeking alternative employment through RedList, the College redeployment database.

¹ A temporary e mail account with access from the library can be arranged for redeployees who do not normally have access to a PC. However, where the redeployee is unable to use e mail or is on long term leave e.g. sick leave or maternity leave, then the manager will be responsible for alerting them to vacancies.

Key Concepts

Redeployment Procedure



- Giving serious consideration to any vacancies of which they are alerted and where appropriate, applying for these in good time.
- Not unreasonably refusing any offers of suitable alternative employment¹

Managers with suitable vacancies

Managers with suitable vacancies are responsible for:

- Carefully considering the qualifications, skills and experience of any redeployee against the essential criteria of the role being advertised in consultation with the sectoral Vice Principal or equivalent. This will be done through short-listing, interview and where appropriate, a relevant selection test.
- Where there is a gap between the redeployee's skills and experience and the essential criteria of the role, considering whether the redeployee could reach the required standard within a reasonable time frame with support and training.
- Providing feedback on the outcome of the selection process to the redeployee.
- Effectively managing the trial period.

Human Resources

The Human Resources contact will be responsible for:

- Advising the redeployee and their line manager of the RedList redeployment database and how this works in practice.
- Arranging for independent specialist advice through Occupational Health or Access to Work where necessary²
- Supporting managers, where requested to do so, in meeting their responsibilities under this procedure.
- Regular meetings with category 1 and 2 redeployees and their managers to review progress.
- Ensure that the redeployee understands their rights and entitlements in law e.g. in relation to trial periods³.

¹ *Suitable alternative employment is defined on page 2. Employees who unreasonably refuse an offer of suitable alternative employment with the College may lose their right to redundancy pay.*

² *Independent specialist advice will always be sought for Category 1 redeployees.*

³ *Please see the section on trial periods (page 7) for further information*



The Redeployment Process

- 1 Human Resources will provide the employee with guidance on how to register on the RedList redeployment database.
- 2 Redeployees will register themselves on the RedList database entering their contact details and job search criteria. The redeployee will be alerted to potential matches.
- 3 If the redeployee wishes to apply for a vacancy, they will complete the application form, indicating that they are a redeployee, and submit this by the application deadline as stipulated in the advertisement.
- 4 The recruiting manager will assess the redeployees' application against the essential criteria for the role outlined in the Person Specification. In the case of Academic and Research posts, this will be undertaken in consultation with the sectoral Vice-Principal or equivalent.
- 5 In assessing the redeployees' application, careful consideration will be given as to whether the redeployee would be able to fulfil the requirements of the role within a reasonable time frame with appropriate support and training¹.
- 6 If the redeployee has demonstrated that they meet the essential criteria of the role or that they could reasonably be expected to do so, the redeployee will be invited to attend an interview and participate in any relevant selection tests.

In the event that the redeployee has not demonstrated that they meet the essential criteria for the role, the recruiting manager will identify the gaps in writing to the redeployee.

¹ *In circumstances where the redeployee is otherwise suitable, but has a disability which appears to prohibit access to a potential redeployment opportunity, Human Resources will obtain advice from the Occupational Health Service or Access to Work on whether a reasonable adjustment can be made.*



- 7 Where practicable, the redeployee will normally be given the first interview in any selection process and the redeployees' performance at interview and in any selection tests will be evaluated before that of any other candidate.

In the event that the required standards have not been met, the recruiting manager will provide written feedback to the employee explaining where the required standards were not met.



Trial Periods

Any employee who is redeployed into an alternative post is entitled in law to a trial period of at least four weeks. This period can be extended for up to 12 weeks on agreement of both parties. In some circumstances, it may be appropriate to extend the trial period beyond 12 weeks, but advice should be sought from Human Resources before doing so.

The employee and the new manager both have the option of terminating the trial period early if they consider the new job to be unsuitable for the employee in question¹

The trial period is an opportunity for both the redeployed employee and their new manager to assess the suitability of the new role for that employee.

The trial period enables the employee to:

- experience the new job before deciding whether it is suitable;
- retain the right to any redundancy they are entitled if they decide it isn't

The new manager has the opportunity to:

- see and assess the employee's suitability at first hand;
- support the employee and design training and development specific to their needs;

To set up a trial period, the manager will meet the employee to discuss and record in writing:

- the length of the trial period
- the objectives to be achieved
- how these will be assessed
- the training needs to be addressed.

During the trial period, the manager and the employee will:

¹ *If the employee is considered to have unreasonably refused or resigned from a new job, they may lose their right to redundancy payment. If the manager wishes to end the new contract within the trial period, the employee will preserve their right to the original redundancy payment unless the dismissal is due to a reason unconnected with redundancy.*



- arrange and hold regular meetings to discuss progress and assess the achievement of the agreed objectives.

The manager will keep written records of the discussions of meetings to review progress.

At the end of the trial period the manager will:

- assess the employee against the agreed objectives; and
- inform HR whether the redeployee should be confirmed in the new job.

If the employee is not considered suitable, they may, either

- be considered for other suitable jobs, if there is one; or
- be made redundant, and be paid the original redundancy payment.

If the employee works beyond the end of the trial period, in law, the employee:

- is deemed to have accepted the new employment by working beyond the trial period
- will therefore lose their entitlement to redundancy pay.



Appendix 1: The protection of pay and other terms and conditions

Employees who are redeployed into a post on a grade with a lower salary¹ than their current salary will receive the following protection:

- ❖ salary (and terms and conditions²) will be protected for 3 years with pay awards applied during this period;
- ❖ at the end of the 3 years the employee will go onto marked time (and revert to the terms and conditions associated with the job they are now doing). The employee will get no further pay awards until others on the grade catch up.

This approach will allow the employee 3 years to:

- ❖ acquire new skills and seek promotion back to their original grade; or
- ❖ grow the job they have been redeployed into; or
- ❖ adapt expenditure to prepare for their pay (and conditions) to be frozen.

For staff redeployed to a post at a higher grade than their current post, pay will be at the appropriate point on the higher grade.

Other terms

The recruiting department or institute will consider:

- ❖ paying an allowance to cover additional travel expenses incurred for a period of up to 2 years.
- ❖ changing the hours of the post, subject to the needs of the College, where the new job requires a change in the working hours of the employee.

¹ Pay protection applies only for posts that "match" the employee's original job-it must be within one grade of the employee's original grade. An employee may opt to apply for lower grade jobs which do not match their old jobs, but these will not qualify for pay protection

² Including membership of the appropriate pension scheme, sickness benefit and annual leave entitlement