

**Making Clackmannanshire Better**



**Clackmannanshire  
Council**

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# Redeployment Procedure

**2016**

**Better Services**

**Better Opportunities**

**Better Communities**

# REDEPLOYMENT PROCEDURE

## 1. Introduction

1.1. This procedure is one of the key tools that supports the Council's workforce strategy and should be read in conjunction with it.

1.2. It is recognised that situations may occur where an employee is no longer able to continue in their current role for reasons of restructure, redundancy, capability and in certain circumstances as an outcome to disciplinary sanctions and consequently this procedure should be read (as appropriate) in conjunction with the Council's:

- Severance Policy and Procedure;
- Capability policy & Procedures;
- Maximising Attendance and Employee Wellbeing Policy & Procedures.

1.3. This policy does not apply where the individual would be subject to the TUPE regulations

1.4. Separate mobility and compulsory transfer arrangements apply to teaching staff

## 2. Representation

2.1. Employees have the right to be accompanied by their trade union representative or work colleague to any meetings convened under the redeployment procedure

### **3. Key Principles**

- 3.1. Redeployment into another post will not be automatic, it will only be where the employee meets the minimum/essential requirements for the role and is then successful following an interview.
- 3.2. Offers of alternative employment are, at a minimum, subject to a statutory 4 week trial period.
- 3.3. If an employee is redeployed into a lower grade post their salary will be preserved for a period of 12 months.
- 3.4. Employees on redeployment will be advised of all available jobs prior to advertisement to the wider Council and/or external market and will be invited to express their interest if they meet the minimum essential requirements

### **4. Redeployment**

#### ***Ill Health and Disability***

- 4.1. The formal redeployment procedure should only be considered in cases of ill health or disability where there is clear medical guidance from Occupational Health recommending that the employee can no longer carry out the duties of their current post.
- 4.2. The Council will comply with the Equalities Act 2010 and consider redeployment, along with any other reasonable adjustment for any employee, regardless of length of service.
- 4.3. The redeployment procedure will be considered alongside of the Council's Capability procedures

#### ***Risk of Redundancy***

- 4.4. This procedure applies where an employee is at risk of redundancy and has a minimum of 2 years continuous service.

#### ***Restructure***

- 4.5. This procedure applies where an employee who has a minimum of 2 years continuous service with the Council may no longer have a post or their post is

substantially changed in skills or competencies which are required as a result of restructure.

### ***Capability***

4.6. This procedure applies where an Employee who has a minimum of 2 years continuous service with the Council and who is consistently falling below the standard required to carry out the duties of their current post to a professionally acceptable standard due to lack of ability. In such cases, redeployment procedures will be considered as part of the Council's Capability procedure.

### ***Individual Circumstances***

4.7. This procedure will apply to individual situations where a Head of Service and employee agree that redeployment could be an appropriate resolution for example as the outcome of a grievance.

## **5. Process**

- 5.1. When it is identified that an employee is unable to fulfil the duties of their post because of ill health and all reasonable adjustments have been exhausted, where the employee is at risk of redundancy or where notice of termination is issued to an employee who has a minimum of 2 years service HR will enter the employees details on the redeployment register
- 5.2. Line managers will arrange to meet with identified staff, explain the redeployment process and provide a copy of the Councils agreed procedure.
- 5.3. HR will seek email contact details from all affected staff but for those who do not have a work or personal email then communication will be via post.
- 5.4. Staff on the redeployment register will be required to complete a Matching Profile (Appendix A)
- 5.5. Each employee on the redeployment register will be notified of each vacant post including the profile and specification, as they become available and will be invited to express an interest.
- 5.6. All vacancies, unless agreed by CMT, will be advised to staff on the redeployment register in the first instance.

- 5.7. CMT will only agree in exceptional circumstances to not notifying redeployees in the first instance e.g. where a delay in recruitment may have a financial/legal impact and wider recruitment is undertaken with those applying through redeployment being prioritised where they meet the essential minimum criteria.
- 5.8. The timescale for expressing an interest will be one week from notification .
- 5.9. Staff on the redeployment register wishing to express an interest for any vacancy should complete a Supporting Statement (Appendix 2)
- 5.10. Where a post is assessed by HR as being a "suitable alternative post" for a member of staff on the redeployment register and no expression of interest is received HR will contact the member of staff requesting they provide details on why they did not submit an expression of interest.
- 5.11. A member of staff who fails to express an interest in being considered for "suitable alternative post" as assessed by HR and who subsequently refuses an offer of a suitable post, whether an interview has taken place or not, may lose their right to payment of their redundancy payment.
- 5.12. The relevant recruiting manager will be provided with (1) the Matching Profile and (2) Supporting Statement for each employee who has expressed an interest in being considered for the post being advertised.
- 5.13. The recruiting manager will be responsible for longleeting/shortleeting in line with the Council's Recruitment Procedure. (See section 6)
- 5.14. Staff will have to meet, as a minimum, the essential requirements of the post in full and will have to be interviewed for the post.
- 5.15. There may be some cases where the manager is satisfied that the staff member meets the criteria in the main and would be able to fulfil the requirements of the post with some training. Where this is the case the cost of the training will be met from the budget of the Service terminating the Employee's original post.
- 5.16. If there are no suitable candidates from the redeployment list then the vacancy will be advertised Council wide in the normal way
- 5.17. Staff will remain on the Redeployment Register for the duration of their notice period. If a suitable post cannot be found for them during this period then their employment will terminate upon expiry of the notice and their name will be removed from the Redeployment Register.

## **6. Assessment of the Employees Suitability for the Vacancy**

- 6.1. The recruiting manager should assess suitability by comparing the employee's Matching Profile and Supporting Statement against the essential requirements in the person specification.
- 6.2. If the employee clearly fails to meet the essential requirements in the person specification (and could not meet these with a short period of training) and the recruiting manager therefore does not wish to interview, the manager should feedback the reasons to Human Resources. The employee should be offered feedback by the recruiting manager.
- 6.3. If the employee meets the person specification and the decision is to interview, the recruiting manager should arrange the interview via Human Resources
- 6.4. If a candidate meets the essential criteria, or would do after a short period of training, an appointment should be made.
- 6.5. The recruiting manager and the appropriate HR representative, should interview and make their decision by assessing the candidates against the person specification for basic suitability, not excellence.
- 6.6. It is not acceptable to reject an employee on the basis that free and open competition may result in securing a better candidate.
- 6.7. If the employee is appointed to the post, an appointment / change / termination form should be completed and passed to Human Resources together with the interview assessment form and supporting statement.
- 6.8. Where the decision is not to appoint the candidate, the recruiting manager should complete the interview assessment form and return this to Human Resources.
- 6.9. The employee should be advised of the decision by the recruiting manager and offered feedback.
- 6.10. Where Human Resources wishes to challenge the recruiting Manager's view with regard to the potential suitability of an employee from the redeployment register they should:
  - approach the Manager to fully discuss the situation;
  - escalate to the Service Manager for the area where necessary;
  - refer to a Head of Service for a final decision.

## **7. Coaching and Training**

- 7.1. The Council recognises that redeployment is potentially an unsettling process for any employee. It may have been quite some time since the employee has had to complete a job application or attend an interview. Consequently their current line manager should provide, or arrange, interview technique coaching for the employee where this would be of assistance.
- 7.2. When assessing the employee's potential for a post, recruiting Managers should always consider whether providing reasonable additional training or support would allow redeployment to take place.
- 7.3. "Reasonable" will usually mean training & support which would allow the employee to carry out the duties and responsibilities of the new role to a basic standard within a trial period
- 7.4. Any associated costs should be met by the transferring service.

## **8. Trial periods**

- 8.1. In appropriate circumstances, for example where redeployment will be to a different kind of work, a trial period may be agreed.
- 8.2. A trial period allows both the recruiting manager and the employee to decide if the new role is suitable.
- 8.3. Trial periods will last for a maximum of 4 weeks
- 8.4. The recruiting Manager should be clear about what they are assessing during the trial period and let the employee know.
- 8.5. The recruiting Manager should meet with the employee regularly during the trial period to provide feedback and support.
- 8.6. At the end of the trial period the recruiting manager should conduct a formal review meeting with the employee and the HR adviser to confirm the outcome of the trial
- 8.7. If the trial period has been successful from both the perspective of the recruiting Manager and the employee, the appointment should be confirmed.

- 8.8. If the trial period has been unsuccessful the employee reverts back to their original service and remains on the redeployment register for the balance of the redeployment period which is left.
- 8.9. If the recruiting Manager confirms that the trial has been successful but the employee does not and declines the post, the Council may consider that the employee has refused a suitable post. In these circumstances the employee must be informed of the consequences of declining the post.
- 8.10. The employee will remain on the redeployment register throughout the trial period and should be advised of any other suitable opportunities which arise.

## **9. Refusing a Suitable Post**

- 9.1. Employees who are prepared to be flexible in the redeployment opportunities are more likely to be successful in securing an alternative post. It is however up to the employee to decide if they will accept the alternative post. In some situations they will wish to consider how any changes will impact on their personal and domestic circumstances.
- 9.2. Where an employee decides to reject the offer of a post which the Council considers to be suitable, they may lose entitlement to any potential redundancy payment .
- 9.3. The employee is required to state their reasons in writing for refusing to accept a post, so that the Council can consider its position with regard to redundancy.
- 9.4. The decision to withhold redundancy payments will be taken by the Head of Resources and Governance. The employee will be notified of the outcome in writing and they may submit an appeal to a member of the Councils Executive Management Team.



## 10. Notice and Termination

10.1. In most cases formal notice will be provided at the start of the redeployment process and run concurrently with time on the redeployment register, a maximum period of 12 weeks, depending on entitlement to statutory notice and any parallel procedures. On occasion, the potential need for redeployment may be identified well in advance of this - e.g. temporary contract, during the early stages of a capability process. In these circumstances, formal notice may be given to conclude at the same time as the post will end (or the timetable for the procedure would conclude).

10.2. In the last week of the redeployment period the current line manager and Human Resources Adviser should arrange a final review meeting with the employee, who may wish to be accompanied by their TU representative or a colleague. The purpose of the meeting is to:

- consider any new opportunities for redeployment which may have arisen
- confirm the termination of contract and procedures to be followed
- confirm any redundancy or other payment which the employee may be entitled to receive
- allow the employee the opportunity to ask any outstanding question they have

10.3. If at the end of the notice period the Council has been unsuccessful in redeploying the employee, their contract of employment will be terminated.

Clackmannanshire Council  
Redeployment Procedure

Policy Name	Redeployment Procedure
Department	HR
Policy Lead	HR
Equality Impact Assessment	
Full EQIA required	Yes <input type="checkbox"/> No* <input checked="" type="checkbox"/>
<p>* In no please provide rationale</p> <p>Policy applies equally to all Council employees and does not negatively impact on any group which falls within any of the 9 protected characteristics</p>	
Date Full EQAI complete	N/A
Date Approved	
Review Date	

**Appendix 1 - Redeployment Matching Profile**

(Your line manager or a member of HR can, if required, assist you in completing this form)

<b>1. You &amp; Your Current Post</b>			
Name		Current Grade	
Current Job Role		Current Salary	
Current Location		Full /Part Time/Shifts	

Part Time Staff - Please indicate your current working pattern

	<b>Mon</b>	<b>Tue</b>	<b>Wed</b>	<b>Thu</b>	<b>Fri</b>	<b>Sat</b>	<b>Sun</b>
Hours Per Day							

<p><b>2. Current Duties:</b>          Please describe in detail the key responsibilities of your current job role.</p>

**3. Previous Relevant Experience**

Please tell us about previous jobs you have had in the Council or with another employer which would be relevant to redeployment (include any voluntary work)

**4. Qualifications**

Please tell us about any formal qualifications you have . (This includes vocational skills which require a certificate eg HGV driving)

**5. Skills, Abilities & Knowledge**

Please tell us about your key skills, abilities and knowledge which you feel could be used in another / different type of job

**6. Training**

Please tell us about any relevant training you have completed e.g. computer packages

**7. Anything You Wish to Add?**

Please tell us about anything else which you feel would be relevant to a vacancy selection process (major achievements, projects etc)

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**10. Please let us know about any adjustments you may require during the redeployment process**

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**Employee Declaration**

I confirm that the information on this form is correct

Signature		Date	
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Line Manager Validation

I declare that to the best of my knowledge the information provided on this form is correct

Signature		Date	
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Please return this form to Human Resources within  
7 working days of your initial redeployment meeting

**Appendix 2 - Supporting Statement**

**Supporting Statement**

Name	
Post Applied for	

If you wish to be considered for the above post please outline how your skills and experience meet each of the essential criteria as outlined on the person specification.



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Signed

Date

### Appendix 3 - Redeployment Action Form

To be completed by Human Resources

EMPLOYEE NAME: \_\_\_\_\_

Reason for Redeployment (Tick appropriate box)	
Medical Grounds	<input type="checkbox"/>
Redundancy Situation	<input type="checkbox"/>
Restructure	<input type="checkbox"/>
Capability	<input type="checkbox"/>
Other (specify)	<input type="checkbox"/>
Date of Redundancy .....	
Type of post for consideration:	
Special conditions to be aware of:	

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Additional Information:

Under Notice: Yes  No  Date Notice Expires .....

Completed By

Date Completed

