



Redeployment Policy and Procedure

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Section A: General Information

1. Policy Statement and Principles

- 1.1 This policy aims to assist in the redeployment of employees of Stratford District and Warwick District Councils ("the Councils") who cannot continue in their current role through no fault of their own. This may be because an employee has been given formal notice of redundancy, has become disabled (as defined by the Equality Act 2010) or due to a capability issue as identified through the capability policy and procedure.
- 1.2 The Councils will provide reasonable support to employees seeking redeployment in the circumstances set out above, including consideration of suitable redeployment opportunities across both Councils, training, and time off to look for alternative roles.
- 1.3 Eligible employees will be given prior notification for vacant posts.
- 1.4 If an employee is already undertaking an agreed course of study funded or otherwise supported by a Council, consideration will be given to them continuing the course provided they follow the requirements of the appropriate training policy.
- 1.5 If employees are prevented from continuing existing training as a result of redeployment they will not be required to repay any related expenses to the Councils.

2. Scope

- 2.1 The policy and procedure applies to all employees of the Councils.
- 2.2 Employees may express interest in vacancies in either Council as part of the redeployment arrangements.
- 2.3 This policy and procedure does not apply to casual workers, agency workers or consultants or self-employed contractors. This policy will not apply to other third party or partner organisations where employees are not employed directly by the Councils.
- 2.4 This policy and procedure supersedes any previous documents at either Council. This policy and procedure does not form part of any contract of employment and will be updated regularly.

3. Equality Act (2010)

- 3.1 The Equality Act states that a person is disabled if they have a physical or mental impairment which has a substantial and long-term adverse effect on their ability to carry out normal day-to-day activities. Long-term means that the condition must last, or be likely to last, for more than 12 months, or is likely to last for the rest of the life of the person affected.
- 3.2 Managers should seek advice from Human Resources and/or Occupational Health where a requirement for redeployment may relate to a disability.

4. Roles and responsibilities

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- 4.1 The Senior Management Team (SMT) is responsible for ensuring adoption of and adherence to this policy and procedure.
 - 4.2 Managers are responsible for adhering to this policy and procedure and applying it fairly and consistently.
 - 4.3 Employees are expected to co-operate in providing any information needed to find suitable alternative employment, respecting the timescales outlined in the procedure.
 - 4.4 Human Resources are responsible for providing advice, support and guidance on this policy and procedure to managers and employees.

Section B - Detailed procedures

1. Eligible employees

- 1.1 Employees who may need to be redeployed within either Council will be identified by the relevant service manager in conjunction with Human Resources. This will be confirmed with the employee who will be placed on a redeployment register maintained by Human Resources.
- 1.2 Employees at risk of redundancy will be registered for redeployment from the date at which consultation on their redundancy formally commences and will continue until the end of their notice period or the six week 'security of employment' period outlined in the Joint Redundancy Procedure.
- 1.3 The employee may be asked to complete an employee redeployment form which will detail their current post and responsibilities along with their qualifications, past experience and their work preferences. A follow up meeting between the employee and a member of Human Resources will take place to discuss the form to ensure a proper understanding of the employee's background and what type of role they are prepared to accept and are capable of doing. The employee will be entitled to bring a union representative or colleague to the meeting.

2. Advertising

- 2.1 Prior to roles being advertised, they will be sent to staff on the redeployment register in advance of being advertised
- 2.2 Should the employee wish to be considered for a post the recruiting manager will review the individual's redeployment form to ascertain if they meet the essential criteria for the role (as per the person specification for the position). The employee may wish to provide additional information to the manager if they don't feel their redeployment form sufficiently covers the requirements of the person specification.

3. Selection and Interviews

- 3.1 If the employee meets the essential criteria for the position it may be possible to offer the employee the role as suitable alternative employment without an interview. However, the manager may still wish to meet the candidate to discuss the role in more detail and to ensure they do meet all the essential criteria. Where more than one employee from the redeployment register is interested in the role and meets the essential criteria, interviews will be arranged. A representative from Human Resources will attend all such interviews. If the employee is not considered to meet the essential criteria they will be advised of the reasons for this.
- 3.2 If it is clear during the selection process that the employee does not meet the full requirements of a role immediately but could perform the duties to an acceptable standard with reasonable training (and/or reasonable adjustments, where the redeployment relates to disability under the Equality Act 2010) the job should be offered to the individual (unless there are other staff being interviewed who need to be redeployed and are better qualified).
- 3.3 In order that the Councils can meet their specific legal obligations towards disabled employees or those who are pregnant or on family related leave, advice must always be sought from HR in making selection decisions.

4. Offer of suitable alternative employment and Trial Periods

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- 4.1 In general, "suitable alternative employment" means work that:
- the employee can reasonably be expected to do taking into account his or her level of seniority and skills;
 - is on terms and conditions that are not substantially less favourable to the employee; and
 - is suitable to the employee in the circumstances.
- 4.2 Suitable alternative employment may be considered at either Council.
- 4.3 Where a redeployment role is being considered the employee will be provided with all relevant information in relation to the impact on pay and terms and conditions.
- 4.4 If an employee has been given formal notice that they are to be made redundant and the Council has identified a vacancy within the Councils which may be suitable alternative work, this role can be offered to the individual without the need for an application or selection process.
- 4.5 If an employee unreasonably refuses the offer of suitable alternative employment they may lose their entitlement to a redundancy payment, where their redeployment is due to a redundancy situation.
- 4.6 If the employee does not believe the role offered is a suitable alternative they will be requested to provide the reasons for this in writing. Human Resources and a suitable manager will review the employee's submission and confirm in writing within five working days whether they accept that the role is not a suitable alternative. It may be necessary to hold a meeting to discuss the employee's submission. If this is the case the employee will be invited to a meeting and will have the opportunity to be accompanied by a fellow employee or trade union representative. If it is agreed that the role is not a suitable alternative for the employee they will retain their right to a redundancy payment, where applicable unless further suitable alternative employment can be found.
- 4.7 Employees who have been issued with notice of redundancy and accepted alternative employment will be given a six week trial period. The purpose of the trial period is for both the relevant Council and the employee to establish whether or not the job is in fact suitable for the employee. It may be agreed in writing to extend the trial period if the new role requires the employee to be retrained. Any such extension must be agreed at the outset, and must specify the date on which the period of retraining ends along with any terms and conditions of employment which will apply after the end of that period. Exceptionally, the Council may agree to extend the trial period for other reasons, e.g. if the employee is absent due to sickness during the trial period. Managers must seek advice from Human Resources before agreeing any such extension.
- 4.8 During the trial period a review meeting should be arranged between the manager and the employee. The purpose of this meeting is to discuss whether or not the job is suitable for the employee taking into account performance, training requirements and any other relevant factors.
- 4.9 In the event that all parties are agreed, the trial period can be ended earlier and the role be confirmed with the employee.
- 4.10 If, during or towards the end of the trial period, an employee decides the new job isn't suitable they must inform Human Resources. If, in conjunction with their line manager and Human Resources, it is agreed that the role isn't a suitable alternative the employee will be entitled to their redundancy payment (where the reason for redeployment is redundancy) unless further suitable alternative employment can be found. In the event that the line manager and Human Resources still consider the
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role to be suitable, but the employee does not then there shall be no right to a redundancy payment following completion of the six week trial period (or extended trial period where this has been agreed).

- 4.11 If the manager believes that the employee is unsuitable for the role during the trial period, they must discuss this with Human Resources. If the trial period is terminated, this would be confirmed in writing and the employee would retain their right to receive a redundancy payment unless further suitable alternative employment can be found.
- 4.12 The date used for the purposes of calculating redundancy pay will be the end date of the original notice period (or what would have been the end date but for any payment in lieu of notice).

5. Salary protection

- 5.1 Redeployment offers will be made at the grade and conditions of employment attached to the vacant post.
- 5.2 In cases of redundancy or where the redeployment relates to ill health or a disability, if an employee's current contractual pay level exceeds that of the new post, the employee's current basic salary will be protected for 30 months at 100% difference. In the first year only, any national cost of living pay award or annual incremental increase will be applied, and salary will be frozen thereafter. This protection is limited to posts where there is a maximum of a two grade reduction.
- 5.3 Upon completion of the salary protection period the employee will continue to be paid at the top spinal column point of the grade of their new post.
- 5.4 Where an employee subsequently applies for and accepts a different post outside of any redeployment arrangement within the salary protection period, salary protection will no longer apply. Any salary protection applied in relation to the previous post will come to an end and the member of staff will be paid the salary commensurate to the new role.
- 5.5 Salary protection will not apply to employees who voluntarily request to move to a post at a lower grade where this is not through the redeployment policy.
- 5.6 Salary protection will not generally apply where employees have been redeployed to a post at a lower grade as a result of action taken under the Disciplinary Procedure, Capability Procedure or the Managing Sickness Absence procedure.

6. Protection of Conditions of Service

- 6.1 In considering whether the offer was one of suitable alternative employment, the issue of conditions of service will have been addressed. The inability to match conditions of service may render an offer unsuitable.
- 6.2 Any existing contractual payments which do not apply to the alternative role will be protected for a period of twelve weeks.

7. Redundancy

- 7.1 In cases of redundancy, if it is not possible to redeploy an employee who is on notice of redundancy to an alternative role within the organisations the provisions of the

Councils' redundancy policy and procedure will apply, including redundancy payment where applicable.