

## **REDEPLOYMENT POLICY**

<b>APPROVED BY:</b>	<b>DATE</b>
South Gloucestershire Clinical Commissioning Group Quality and Governance Committee	February 2017

**Date of Issue:** 25 February 2015  
**Version No:** 1.0  
**Date of Review:** February 2019  
**Author:** Human Resources, North Bristol Trust

Document status: <b>Current</b>		
<b>Version</b>	<b>Date</b>	<b>Comments</b>
0.1	January 2015	Draft for review at Policy Review Group
0.2	February 2015	Amendments following Policy Review Group
1.0	25 February 2015	Final following approval at Quality and Governance Committee
1.0	February 2017	Reviewed by Policy Review Group. No changes to previous versions. Further review date of February 2019 agreed
1.0	February 2017	Further review date of February 2019 approved by Quality and Governance Committee

## **CONTENTS**

<b>Section</b>	<b>Summary of Section</b>	<b>Page</b>
Cont	Contents	3
1	Purpose	4
2	Procedure	4
3	Suitable Alternative Position	5
4	Pay Protection	6
5	Timescales	6
6	Appeal	7
7	Equal Opportunities/Equalities Impact Assessment	7
8	Review	7

## **1. PURPOSE**

- 1.1 The purpose of the organisation's Redeployment Policy is to seek to maintain the continuity of employment of staff whose current post is no longer tenable. Suitable alternative employment will be sought for members of staff where it is possible by balancing the needs of the service with individuals' experience, skills and personal circumstances. However alternative employment cannot be guaranteed.
- 1.2 The purpose of this policy is to ensure that employees facing redeployment are treated fairly and consistently.

## **2. PROCEDURE**

- 2.1 If an employee's post is no longer tenable due to any of the situations listed below, this policy will apply:
  - a. Organisational change, including redundancy (refer to the Organisational Change Policy and Redundancy Policy).
  - b. Capability arising from ill health problems (refer to the Sickness Absence Management Policy).
  - c. Capability related to performance issues (refer to the Capability Policy and Procedure).
  - d. If an employee is at risk due to being unable to find a job share partner (Work-Life Balance Policy).
  - e. If an employee is required or request to change their post following an upheld disciplinary/ harassment case (refer to B&H Policy and Pay Protection Policy).
- 2.2 Discussion will take place between the line manager, the employee and the HR representative to establish skills and qualifications and relevant experience. The employee is entitled to have a Trade Union Representative or work colleague not acting in a legal capacity at all stages of this procedure, except at a selection interview for a suitable alternative post.
- 2.3 CCG will provide the details of all vacancies at employee's existing grade in accordance with known skills and qualifications.
- 2.4 As far as possible, such information will be made available to the employee and the following procedure will be completed before it is advertised either within the organisation or externally. The employee will be given five working days to decide whether or not they wish to apply for the post. This timescale may be varied by mutual agreement in order to take into account any personal extenuating circumstances.

- 2.5 Reasonable adjustments to a post will be considered when it's known that the employee may have a disability in accordance with the Equality Act 2010. Occupational Health may need to be consulted.
- 2.6 The employee will be required to submit an application indicating their suitability in respect of the specified selection criteria. If the employee informs the Human Resources Department within the time period stated, she or he will be granted a priority interview.
- 2.7 If there is one or more employee on the redeployment register who matches a vacancy, a formal interview process will be carried out to assess suitability to the post and confirm objective selection, ensuring that the preferred candidate is selected based on their ability to undertake the duties of the post to the minimum essential criteria as detailed in the job.
- 2.8 If the new role is entirely within an employee's job description, they may be matched into it. If there are some differences between the two roles, the employee should be offered a trial period. The employee has right to a 4 week trial period for any alternative employment. This may be extended if training is required. However any extension must be agreed in writing before the trial period starts.
- 2.9 Any offer of alternative employment for redeployees will be subject to satisfactory references, Occupational Health and Disclosure Barring Service where appropriate.
- 2.10 If the trial period is unsuccessful the employee will be offered objective feedback by the recruiting manager and a copy of the feedback will be provided to the HR department.
- 2.11 If employee refuses to engage in the redeployment process, they may lose their entitlement, subject to eligibility, to a redundancy payment.

### **3. SUITABLE ALTERNATIVE POSITION**

- 3.1 The organisation will consider redeployment to a suitable post at an equivalent level of the current band or one pay band above or below for staff on Agenda for Change Terms and Conditions. The essential criteria for the job as per the Person Specification will also be considered.
- 3.2 Suitable alternative employment should normally carry broadly similar levels of responsibility.
- 3.3 The suitability of the offer of alternative work must be assessed objectively, whereas to assess whether or not an employee's refusal to accept the work is unreasonable is a subjective one. This means that the employer needs to objectively take into account the suitability of the match between the knowledge, skills and experience required of the new position and those of

the employee. If an employee wishes to refuse an offer, they may put forward their reasons which may be personal to them for consideration.

#### **4. PAY PROTECTION**

- a. If an employee is at risk due to organisational change and redeployed, the pay protection policy will apply.
- b. If an employee is redeployed because the organisation has been unable to find a job share partner, the pay protection policy will apply.
- c. If an employee is redeployed due to performance issues, pay will not be protected.
- d. If an employee is redeployed due to ill-health, pay will not be protected.
- e. If an employee is a victim of bullying and harassment and the organisation upheld the allegations and they request redeployment, the pay protection policy will apply.
- f. If an employee is redeployed due to a sanction given as a result of a disciplinary/harassment case, pay will not be protected.

#### **5. TIME SCALES**

- 5.1 If an employee is on the redeployment register due to ill-health, they will remain on it for the period of their contractual notice period.
  - a. If an employee is identified as being 'at risk' due to organisational change, they will immediately be placed on the register and will remain on the register for the duration of the redundancy consultation period plus their contractual notice period.
  - b. For all other circumstances, employees will remain on the register for the duration of their contractual notice period.
  - c. Employees on Fixed Term Contracts who have substantive employee rights should be added to the register three months prior to the last day of their contract or at the earliest opportunity if the contract is less than three months.
- 5.2 In the cases of ill-health or disability, the employee will remain on the register for up to a maximum of 12 weeks.
- 5.3 If suitable alternative employment cannot be found within the agreed timescales, the employee will be issued with notice to terminate their contract of employment. The decision to terminate an employee's contract must be taken in conjunction with a HR representative.

## **6. APPEAL**

- 6.1 If an employee feels that the procedure has not been applied fairly or correctly, they may raise their concerns using the Grievance Policy.

## **7 EQUAL OPPORTUNITIES/EQUALITIES IMPACT ASSESSMENT**

- 7.1 An Equality Impact Assessment has been completed for this policy and procedure and it does not marginalise or discriminate minority groups.

## **8 REVIEW DATE**

- 8.1 This policy and procedure will be reviewed after 2 years, or earlier at the request of either staff or management side, or in light of any changes to legislation or National Guidance.