Redeployment Policy and Procedures

Policy

1. Introduction

1.1. The University aims, as far as possible, to ensure security of employment for all of its employees and is committed to attracting and retaining excellent, committed staff valuing their experience, skills and knowledge.

1.2. The changing needs of the University and the proactive management of change, mean that staff may need to be considered for redeployment from time to time, either on an individual, or a group basis. In these circumstances, it is recognised that the staff concerned may have experience and expertise which will enable them to continue to contribute to the success of the University, in another role, if given appropriate opportunity to do so.

1.3. The University will make all reasonable efforts to retain staff, through the Redeployment Policy and Procedure.

1.4. This policy should be read in conjunction with the Redeployment Procedure.

1.5. The Redeployment Policy and Procedure is not contractual and does not form part of the terms and conditions of employment. However, staff representatives will be consulted on changes, where the University wishes to amend the Policy and Procedure.

2. Aims

The aims of the policy are:

2.1. To ensure that all reasonable efforts are made, by the University, to retain staff in a redeployment situation.

2.2. To maintain efficiency in the working environment, within available financial constraints, through the effective management of redeployment.

2.3. To ensure a fair and consistent approach to redeployment.

2.4. To ensure that staff are treated with dignity and respect during the redeployment process.
3. **Principles**

3.1. All parties involved in the redeployment process will co-operate with one another and will provide all necessary and relevant information to support the redeployment process.

3.2. Staff, who may be subject to redeployment, are expected to demonstrate flexibility when considering opportunities of a different grade, staff category or location.

3.3. The University recognises that some staff may need a reasonable amount of training in order to be redeployed effectively into another role. This will normally be supported. However, where the University considers that the amount of training required to redeploy a member of staff into a particular post would be excessive or unreasonable, the University will not support the redeployment of that member of staff into that particular role. Other redeployment opportunities will be sought instead.

3.4. In normal circumstances, suitable alternative employment will be defined as posts of equivalent status and grade, or alternatively of the grade below, if none of the same grade is available and will include posts in alternative job families.

3.5. Posts of a higher grade will not be considered for redeployment, but affected staff may still apply in open competition. Specific exceptions may be made in appropriate cases which relate to disability and are covered by the statutory provisions relating to reasonable adjustments.

3.6. Staff will be expected to be flexible regarding their working arrangements, in order to meet the operational needs of the alternative posts identified (for example, hours of work). This will, however, be balanced against their personal circumstances.

3.7. Staff under notice of redundancy, are entitled to reasonable time off to find alternative employment, attend interviews and participate in training and development opportunities. Such time off will be paid, provided prior permission has been sought from the relevant manager.

3.8. A trial period may be applied in some cases, particularly where suitability for the post is unclear or in dispute. Trial periods will be operated in accordance with statutory requirements.

4. **Eligibility for Redeployment**

Staff may be eligible for redeployment in the following circumstances:

4.1 For the purpose of avoiding redundancy:

- Where one or a group of staff is under notice of redundancy, the provisions of this policy will be applied to all members of staff affected.

4.2 Ill Health and disability related problems

- In appropriate circumstances, redeployment will be considered as one route for making reasonable adjustments for staff with a disability, as defined under current equalities legislation.
• When, due to medical reasons, a member of staff is unable to continue in their contractual role.

4.3 Other Reasons:

• There may be other circumstances under which a member of staff may seek redeployment, e.g. where a reduction in the level of responsibility is sought; where there has been a breakdown in working relationships; where a request for flexible working cannot be accommodated within the existing post. Such cases will be dealt with on a case by case basis but will not be covered by the Redeployment Register or by salary protection arrangements.

5. Exclusions

5.1. Members of staff with less than 9 months’ service by their proposed date of dismissal are not normally eligible to join the Redeployment Register, unless there is a disability issue, within the meaning of the statutory definition, as confirmed by Occupational Health.

5.2. Members of staff who need permission to work in the UK, may not be eligible for redeployment due to the UKVI restrictions governing work in the UK. Such staff should seek advice from their HR Adviser, as soon as possible.

6. Suitable Alternative Employment

6.1. Wherever possible, the University will seek to maintain staff in employment in work of a broadly comparable nature.

6.2. The relevant HR Adviser in consultation with the responsible manager, will carefully determine whether a post is a suitable alternative, on a case-by-case basis.

6.3. The following criteria will be used to determine the suitability of alternative employment:

• The nature of the work
• The qualifications, skills and experience required to carry out the work
• The aptitude or capability of the individual to undertake the work
• Working arrangements, i.e. hours of work, shift operation etc
• Level of responsibility/status relative to previous role
• Grade and pay
• Location

6.4. Redeployment opportunities will normally be restricted to posts at the commensurate grade (except where staff are being considered for redeployment as a reasonable adjustment in line with the DDA/Equality Act 2010). Posts at a lower grade will be presented, only where appropriate, or where the individual has requested.

6.5. The University will not support requests for redeployment to a higher graded post as this would represent a promotion and as such should be applied for through the normal channels. Specific exceptions may be made, in appropriate cases, which relate to disability and are covered by the statutory provisions relating to ‘reasonable adjustments’.
6.6. Staff applying for other posts, including those of a higher grade, will not be given priority consideration. They will be in open competition with internal and external applicants. They will not receive any period of salary protection if appointed to such a vacancy.

6.7. In the event of any dispute, "suitability" of employment will be determined by the Director of Human Resources and any appeal will be heard at the appeal stage of the Grievance Procedure.

6.8. Where a member of staff is employed on an open ended contract, he/she can move to a fixed term role or be seconded to a vacant post, through redeployment. If that fixed term post expires without being renewed, the member of staff can re-join the Redeployment Register. (Note: entitlement to a redundancy payment, provided an offer of suitable alternative employment not being unreasonably refused, accrues after two years’ continuous service, irrespective of whether the contract is fixed term or permanent)

7. The Redeployment Period/Register

7.1. All staff under notice of redundancy will be placed on the Redeployment Register by Human Resources.

7.2. Staff will normally remain on the Redeployment Register until their date of termination of employment (or until they have been successfully redeployed into another role). This is known as the 'Redeployment Period'.

7.3. An extension to a Redeployment Period will be only be on an exceptional basis and will take into account individual circumstances. An extension of the redeployment period will require the written approval of an HR Adviser.

7.4. The period of time on the Redeployment Register, for reasons relating to disability, may be adjusted at the discretion of an HR Adviser, with the support of the Occupational Health Adviser, who will assess the need for redeployment based on the implications of the employee’s disability.

8. Transfer/Commencement dates

8.1. It is the normal expectation that where a member of staff accepts an offer of redeployment, as an alternative to redundancy, or for other approved reasons, agreement of the commencement date will be reached between the relevant managers of the old and new departments.

9. Protection of Earnings and Conditions of Service

9.1. Redeployment offers will be made at the grade and conditions of service attached to the vacant post. However, where a staff member’s current contractual pay level exceeds that of the new post, their pay will be maintained and frozen at their current pay level (excluding any additional allowances, additional contractual earnings or contractual overtime) for two years, or until the pay level for the new grade
overtakes their previous pay level – whichever is the sooner.

9.2. The cost of covering the protection of earnings will normally be charged to the old department or will be determined by the Director of Finance, where the old cost centre has ceased to exist.

9.3. Where a member of staff voluntarily accepts a new post within the two year pay protection period, then the protection is automatically terminated and the member of staff will be paid the salary commensurate to the new role.

9.4. Pay protection will not apply to employees who voluntarily request to move to a post at a lower grade or who 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.

10. Redundancy

10.1. Where it is not possible to redeploy a member of staff selected for redundancy during the Redeployment Period, the provisions of the Redundancy Policy & Procedure will apply.

10.2. Where a member of staff unreasonably refuses an offer of suitable alternative employment, they will not be eligible for a redundancy payment.

10.3. Appeals against termination of employment on the grounds of redundancy will be heard in accordance with the procedure for appeals against dismissal.

Procedure

1. Introduction

1.1. This procedure is designed to assist staff at risk of redundancy to secure suitable alternative employment within the University. The procedure also applies to, but is not limited to, individuals who are no longer able to continue in their current due to a disability, or other medical reasons.

1.2. Where redeployment is requested by a member of staff, the request will be treated as exceptional and dealt with on a case by case basis by the relevant HR Adviser, in consultation with the staff member’s manager. Staff seeking redeployment should discuss their position with their manager / Head of Department (School)/Head of Service, in the first instance.

1.3. This procedure should be read in conjunction with the Redeployment Policy.
1.4. This procedure provides a framework for managing redeployment including the roles and responsibilities of those involved in operating the procedure (see Appendix 1).

2. **Scope**

   2.1 The procedure will apply to all University employees who are identified as at risk of redundancy or in a redeployment situation, unless they are not eligible for redeployment (see the Redeployment Policy for details).

3. **The Redeployment Register**

   3.1. Once a member of staff is given notice of redundancy, or notice of termination of employment due to long term ill health, or requires redeployment due to disability, the responsible HR Adviser will instruct the Recruitment team to add the staff member’s name to the Redeployment Register.

   3.2. The purpose of the Redeployment Register is to ensure that staff are, where possible, considered for vacancies before they are advertised, in order for them to receive preferential treatment in finding alternative employment in the University.

   3.3. In the cases of redundancy, the staff member’s name will normally be placed on the Redeployment Register once notice of redundancy has been served.

   3.4. A member of HR will arrange to meet with the member of staff. The member of staff will be asked to bring an up-to-date CV, or completed application form, with them so that their skills and experience, together with any training needs, can be assessed.

   3.5. The affected member of staff will be expected to be proactive in the search for alternative employment and will be reminded by the HR department to regularly view the vacancies website and notify their HR Adviser if any of the vacancies are of interest. To express an interest in a vacancy that is already advertised, staff must contact the Recruitment team as soon as possible and before the closing date.

   3.6. Members of staff on the Redeployment Register are required to provide all relevant information and the correct documentation to the HR Recruitment team, in a timely manner, to ensure that they can be considered for redeployment opportunities, without undue delay.

   3.7. Staff will be entitled to priority of consideration for all vacancies deemed by the HR Adviser to be a potentially suitable match.

   3.8. Staff will remain on the Redeployment Register until their proposed termination date, or until they are successfully redeployed, whichever is the sooner.

4. **The Redeployment Period**
4.1. Throughout the redeployment period, the relevant HR Adviser will maintain regular contact with the individual member of staff to ensure that all suitable options for redeployment are brought to their attention, particularly opportunities outside their department.

5. Priority of Consideration and Meeting with Recruiting Managers

5.1. Where new posts become available, candidates for redeployment will be given priority, in advance of the post being advertised.

5.2. The HR Recruitment Team will send the recruiting manager the staff member’s CV together with any other relevant information, as soon as possible.

5.3. Where, on the basis of the information provided, a member of staff is identified, by the HR Recruitment Team, to be a potentially suitable match for a vacant post and meets the minimum criteria, the member of staff will be given priority consideration for the post.

5.4. The line manager will be required to record the selection decision, in writing, which is to be returned to the HR Recruitment Team.

6. Selection

6.1. Where the recruiting manager considers that a redeployee meets the minimum criteria for a vacant post, they will be given the opportunity to meet the recruiting manager to confirm whether the post is a full match, before the post is advertised or interviews take place.

6.2. Where a full match is confirmed, the expectation is that the member of staff will normally be appointed to the post and the post will not therefore need to be advertised.

6.3. Where more than one member of staff in a redeployment situation has been identified as a potentially suitable candidate for a vacant post, such eligible staff will be considered and the appointment will be based on matching the best candidate available to the requirements of the post.

6.4. Where, following consideration, a department proposes to appoint a redeployment candidate, the decision must be communicated, in writing, to the HR Recruitment Team.

7. Non Selection

7.1. Where a member of staff in a redeployment situation has been put forward for priority of consideration and is not selected, the recruiting manager is required to contact the HR Adviser to discuss the reasons for the decision. The reasons will then need to be recorded, in writing and appropriate feedback given to the member of staff.
7.2. Any post identified as a suitable match, which does not result in a redeployment candidate being appointed into the post, will be subject to review by the Director of HR, or nominee, prior to the advertisement of the post.

7.3. Where a member of staff in a redeployment situation is put forward for priority of consideration but refuses to be considered for the post or rejects an offer of a redeployment post, they must inform the HR Adviser of the reasons in writing.

7.4. If the candidate for redeployment does not meet the specified criteria and the vacant post is not considered suitable by the relevant HR Adviser, the member of staff may still apply for the post through the normal recruitment process and be considered in competition with other applicants.

8. Trial Period

8.1. In accordance with statutory requirements, where redeployed members of staff are offered a new position, a trial period of no less than 4 weeks will normally apply, to ensure that the post is a suitable alternative, taking effect from the date of appointment to the new post.

8.2. During a trial period, the new manager will meet with the member of staff on a regular basis to review progress and identify any areas where further training or support may be required. This will be achieved through a programme agreed by the responsible manager and the member of staff, in consultation with the HR Adviser.

8.3. At the end of the trial period, the manager and the member of staff will advise the HR Adviser, in writing, whether or not the appointment is considered a suitable alternative.

8.4. If agreement cannot be reached between the manager and the member of staff on the suitability of the appointment, further advice will need to be sought from the HR Adviser.

8.5. The trial period may be extended by mutual agreement, up to a maximum of 8 weeks, e.g. to facilitate necessary training, but must be confirmed in writing.

8.6. Where the appointment is not confirmed following a trial period, written reasons must be provided to the HR Adviser and where accepted, alternative options, including reinstatement on the Redeployment Register, will be discussed with the member of staff, according to the circumstances of the case. Appropriate feedback will be provided to the member of staff at the end of the trial period.

9. Appeals

9.1. Where a member of staff considers the redeployment policy or procedure has been unfairly or improperly applied to their own particular circumstances, he/she may appeal. The grounds of the appeal must be
stated in writing, to the Director of Human Resources within 10 working days of receiving confirmation of the decision.

9.2. The member of staff will be invited to attend a meeting to discuss their appeal in accordance with the appeal stage of the Grievance Procedure.

9.3. The appeal decision will be final, and details of the decision will normally be sent to the member of staff within 10 working days of the meeting.

9.4. Appeals against termination of employment on the grounds of redundancy will be heard in accordance with the procedure for appeals against dismissal.
APPENDIX 1

Redeployment Procedure - Roles and Responsibilities

1. **Head of Department (School)/Head of Service**

   The Head of Department/Head of Service, assisted by the relevant HR Adviser, is responsible for:

   1.1. Fully exploring, in the first instance, redeployment opportunities in the originating department/school.

   1.2. Liaising with the member of staff in a redeployment situation, keeping them fully informed of all developments and updates.

   1.3. Working in partnership with the HR Adviser to identify suitable alternative opportunities and to facilitate the progression of redeployment, particularly where no such opportunities have been identified within the originating department/school.

   1.4. Remaining responsible for the management of the redeployee for the duration of the redeployment period.

   1.5. Supporting the redeployment process by accommodating requests for time off for job interviews, training etc.

   1.6. Authorising departmental budget to cover the cost of protection of earnings, where agreed by the Director of Human Resources.

2. **The member of staff**

   The member of staff is responsible for:

   2.1. Ensuring that they understand and follow the University’s Redeployment Policy and Procedure.

   2.2. Asking questions of either their line manager or HR Adviser, if they are unsure about any aspect of the Policy and Procedure.

   2.3. Liaising with the responsible manager/Head of Department (School)/Head of Service and playing an active role in discussions relating to their employment.

   2.4. Providing the required information relating to skills/experience and working preferences, as requested by the Recruitment Team/HR Adviser, in a timely manner.

   2.5. Co-operating fully in any assessment and interview processes.

   2.6. Demonstrating flexibility and adaptability with regard to potential alternative posts and giving careful consideration to suitable, alternative posts.
2.7. Identifying appropriate training and career development opportunities in consultation with their manager.

3. **HR Recruitment Team**

The HR Recruitment Team is responsible for:

3.1. Creating and maintaining a Redeployment Register for all members of staff in the defined categories of eligibility, within the University.

3.2. Ensuring that members of staff who are not eligible to join the Redeployment Register are informed as soon as possible, once they are identified as being under notice of redundancy or termination for medical reasons etc.

3.3. Working in partnership with the HR Adviser in assessing the suitability of roles for redeployees, in line with the Redeployment Policy & Procedure.

3.4. Informing affected staff of suitable opportunities for consideration outside their originating departments.

3.5. Reminding staff to register on the recruitment system and submit an up-to-date CV and/or application form, to ensure that they can be appropriately matched to potential redeployment opportunities.

3.6. Informing staff in a redeployment situation of the need to review suitable opportunities on the vacancies webpages.

3.7. Liaising with recruiting managers and facilitating the redeployment of staff into appropriate vacant posts, as they arise.

3.8. Liaising with the member of staff in a redeployment situation, keeping them fully informed of all developments and updates.

3.9. Producing and providing the required paperwork relating to the redeployment process.

4. **HR Advisers**

The HR Adviser is responsible for:

4.1. Informing managers/Principal Investigators and Departmental Representatives of potential redundancy situations in regard to the end of fixed term contracts and fixed term funding, approximately 6 months in advance of potential termination dates.

4.2. Liaising with line managers/Heads of Department (Deans of Schools)/Heads of Service, to identify those at risk of redundancy due to the end of a fixed term contract or fixed term funding.

4.3. Providing the Recruitment Team, with a list of staff at risk of redundancy, or otherwise eligible for redeployment, on a monthly basis.
4.4. Providing Heads of Departments (Schools)/Heads of Service, managers, their staff and the Recruitment team with advice and guidance relating to the application of the Redeployment Policy & Procedure.

4.5. Working in partnership with the Recruitment team in assessing the suitability of roles for redeployees, in line with the Redeployment Policy & Procedure.

4.6. Providing support and advice to managers/members of staff regarding redeployment opportunities.

4.7. Dealing with redeployment requests made by individual members of staff, in consultation with their manager.

4.8. Dealing with redeployment requests relating to disability/medical reasons, in consultation with the staff member’s manager (and where applicable, the Occupational Health Adviser).

4.9. Liaising with departments and members of staff, keeping them fully informed of all redeployment developments and updates.

4.10. Advising managers and producing the required paperwork in respect of trial periods.

4.11. Providing variations to contract and any other required paperwork relating to the redeployment process.

4.12. Monitoring the outcome and impact of the procedure on protected groups of staff as per the University’s equality & diversity obligations.

5. **Director of Human Resources**

The Director of Human Resources is responsible for:

5.1. Overseeing the redeployment process.

5.2. Ensuring that appropriate consultation takes place with affected staff and representatives of the recognised trade unions.

5.3. Attempting to resolve any difficulties with the application of this policy and procedure.

5.4. Ensuring that the process follows current statutory requirements.

5.5. Undertaking a review of the policy and procedure, in consultation with union representatives after 12 months’ operation and thereafter as he/she may determine as necessary.