

## **Redeployment Guidance for Employees**

The purpose of this document is to define the role and responsibilities of the employee and manager and the time lines associated with the redeployment process.

### **What is the redeployment process?**

Redeployment is necessary to ensure that those employees who are displaced from their current role due to workforce changes, ill health or some other substantial reason are given an opportunity to remain in employment with the Council. In order for redeployment to be successful, it is important that all parties involved fully participate in the process and objectively consider the matching of individuals to posts that are deemed to be suitable alternative employment.

The Council has a commitment to redeploy employees into meaningful employment and to explore and exhaust all options available to the employee. The council will make every effort to redeploy staff into suitable alternative vacancies and every attempt will be made to match the existing terms and conditions of service as far as reasonably practicable. However, there will be no guarantee that employees will be redeployed into a post at the same wage/salary, hours of work, location etc. and therefore there will be no entitlement to preservation of the previous terms and conditions of employment, including salary/wages unless the redeployment arises as an alternative to redundancy. Salary protection will be in place for up to 18 months for those who have been formally advised that they are in a redundancy situation, it does not apply to those who have been redeployed due to illness or some other substantial reason.

Where a post is to be deleted through organisational change and there are new posts available, the employees affected will be considered for the matching process. That means where there are alternative posts which are broadly similar, employees that meet the requirements by demonstrating their competencies, skills, knowledge, behaviours and experience will be matched in. For more information on the Matching Process, please refer to the [Workforce Change Policy, Section 2](#).

- Employee Relations (ER) will be responsible for redeployment cases that arise as a result of ill health or the outcome of a grievance /dignity at work or other ER process
- The Service HR Business Partner team will be responsible for redeployment that arises following organisational change and where a fixed term contract ends before the initial expected duration

## **Steps in the Redeployment Process**

### **Step 1 - Completion of Redeployment Profile.**

If you are entered into the redeployment process you must complete a Redeployment Profile, [NLC5 & above](#) and [NLC4 & below](#), which will be issued to you when it has been agreed that it is appropriate to commence redeployment.

You will complete the Redeployment Profile with your line manager where possible. If this is not possible, assistance will be provided by the Redeployment Co-ordinator and written guidance for [employees](#) and [managers](#) is provided with the form.

On completion of your profile, this should be returned to the Redeployment Coordinator who will ensure all relevant details have been provided before entering your employee details onto the Redeployment Database. The redeployment profile will be stored in accordance with GDPR legislation.

### **Step 2 - Meeting with the Redeployment Co-ordinator**

The Redeployment Coordinator will arrange a meeting with you and explain the process and expectations. For ER redeployees (including ill health), the responsibility for the initial redeployment discussions will remain with the ER Advisor involved in the case and then be passed to the Redeployment Coordinator for progression. Either the Business Partner or Employee Relation Advisor, depending on who is dealing with the case, will be copied in to all redeployment correspondence between the Redeployment Coordinator and you.

The meeting which will take place between the Redeployment Coordinator and you will be informal. The purpose of the meeting is for both parties to establish a working relationship and identify any areas of training required to enhance employment opportunities. The meeting will also be used to encourage you to fully participate in all aspects of Redeployment and manage your expectations.

### **Step 3 - Finding a Suitable Vacancy**

To maximise opportunities for all redeployees, on receipt of an advert request into the recruitment team, the Redeployment Coordinator will assess the vacancy to determine if this is suitable for any redeployees on the redeployment register prior to this being advertised on MyJobScotland (MJS).

If there is a suitable redeployee, the hiring manager will be contacted to arrange an informal interview for you before the post is advertised. The post will not be advertised until the Redeployment Coordinator and hiring manager have agreed there are no suitable redeployment candidates for the vacancy.

The Redeployment Coordinator will monitor MJS and advert requests on a regular basis. They will inform you if you meet (or could meet with additional training) the essential criteria of all potential vacancies that may arise.

We would suggest you set up job alerts and review My Job Scotland for any potential opportunities that match your skills.

When a suitable vacancy has been identified the Redeployment Coordinator will be responsible for arranging an informal interview with the hiring manager of the post. If you decline consideration for a post this will be documented and passed to the ER/BP.

The Redeployment Coordinator will offer up to a maximum of two suitable alternative options where possible within the redeployment timeframe. In the event that the Redeployment Coordinator provides suitable alternative employment and you do not engage in the process with continual refusals the Redeployment Coordinator will contact the HR BP/ER Advisor involved in the case to discuss next steps.

The test of whether an offer or offers are reasonable is usually judged in Employment Tribunals on three main criteria, which are:

- (a) Location(s) of the post – this must be within reasonable travelling distance from the employee's home and take account of general circumstances.
- (b) Capability – the duties of the post must be within the capability of the employee, or could be after some appropriate retraining.
- (c) Terms and Conditions – these should be broadly similar to the employee's current terms and conditions

#### **Step 4 - The informal interview**

An informal interview will take place to determine your suitability for a vacancy. The number on the panel should be kept to a minimum (no more than 2) and the interview conducted as informally as possible. The key objective is to establish whether you meet or can be trained in a reasonable period to meet the essential criteria for the jobs' person specification. On conclusion of the informal interview the hiring manager will complete an [Informal Interview Pro-forma](#) confirming if you are successful or unsuccessful at informal interview, this must be returned to the Redeployment Coordinator. If successful a 4 week trial period will be offered to you. If you are unsuccessful at the informal interview stage, the hiring manager must evidence and document the reason/s why. This may be challenged by the Redeployment Coordinator/HR BP/ER or senior manager if they feel the reasoning is unjustified and not in line with current policy.

### **Step 5 - Trial Period**

Following the informal interview and you accept the offer, you will commence the employment on a trial period and you will remain under your current service until the end of your trial period. However, if you are working more hours than your substantive post the cost for the extra hours worked will be met by the new service.

During the trial period there should be ongoing dialogue between you and hiring manager to assist you to undertake the duties of the post (see [Redeployment Work Trial Plan](#)). All job placements must be assessed on a weekly basis and at the end of the 4 week trial the hiring manager will inform you of the outcome which should be one of the following:

1. The job placement has been successful and you will take up the post.
2. The job placement will be extended.
3. The job placement has been unsuccessful and you will remain on the redeployment list. If this outcome has not been conveyed to you throughout the trial period and is not the expected outcome for you the Redeployment Coordinator may discuss further with the manager or relevant Senior HR Management for clarification.

### **Step 6 - Acceptance of Post**

On completion of a successful trial, the hiring manager will complete the relevant paperwork for progression. Your details will then be confirmed on iTrent with your permanent change and your redeployment status removed. A contract/variation for your new role will be issued from HR Operations. If your new post is an equivalent to your current grade your salary will remain the same, if your new post is a lower grade you will automatically be placed on the highest salary Spinal Column Point for your new grade.

### **What if I refuse a post offered to me via redeployment?**

Where you decline to be placed on the Redeployment Register and do not wish to be considered for suitable alternative employment or you refuse to accept a reasonable offer of employment, then you must notify the Employee Relations Manager immediately and in writing with your reasons for this. The Employee Relations Manager will consider whether the refusal is reasonable or not, taking account of:

- The grade and pay
- The skills and experience
- The aptitude and capability to undertake the work
- Working arrangements i.e. hours of work
- Level of responsibility relevant to the previous role
- Location and accessibility
- Ability to support reasonable adjustments (as required)

- Personal circumstances

If the refusal is unreasonable and the offer of alternative employment is considered suitable, you may not be entitled to a redundancy payment. In circumstances where you refuse a suitable alternative position and you are not at risk of redundancy, your employment may (if appropriate and subject to the correct processes and procedures) be terminated in accordance with your notice period. The Employee Relations Manager will write to you within 7 days to provide an outcome. You will have the right of appeal in accordance with due process.

### **Appeals Process**

If you do not agree with the outcome made by the Employee Relations Manager you will have the right of appeal. You must write to the Head of People & Organisational Development within 14 days of receipt of the letter from the Employee Relations Manager detailing the reason/s you do not agree with their decision. The Head of People & Organisational Development will consider your appeal and respond within 7 days.

If the Head of People & Organisational Development agree with the outcome from the Employee Relations Manager, there will be no further right of appeal.