



**Supporting Attendance Toolkit SA10:
Redeployment on Capability/Ill Health Grounds
(Version: 1.0)**



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Introduction: Redeployment on Capability/Ill Health Grounds

Where an employee's health and/or performance is impacting on their ability to carry out the duties of their post effectively and reasonable adjustments cannot be made or sustained the Council will seek, as far as possible, to avoid dismissing the employee where a suitable alternative role can be found through redeployment.

The Council will make every attempt to match an employee to their existing terms and conditions of service as far as is 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/wage.

There is no obligation on the Council to create a role in order to redeploy a member of staff, however if a suitable vacancy exists redeployment should be considered.

Redeployment will only be considered once all reasonable adjustment options have been exhausted and the employee remains unable to carry out the duties of their role effectively. This must be supported by advice from occupational health.

Where an employee is considered to have a disability as defined by the Equality Act 2010, and his/her employment is 'at risk' the Council has a duty to make reasonable adjustments to support the employee to continue in their existing post in the first instance. Where it would be considered unreasonable to make the necessary adjustments to the employee's existing post the Council is obliged to consider suitable alternative employment in accordance with this process.

The Council will provide appropriate training and support for the new post, where necessary.

The Council will ensure that employees who are in a redeployment situation will be granted a suitable job placement for a minimum of 4 weeks, where necessary. Within the period of the job placement, the employee will continue on his/her existing terms and conditions of employment as part of a phased transition.

If, having exhausted this procedure, redeployment is not possible, the case will be dealt with in accordance with the appropriate policy or procedure, and may ultimately lead to the termination of the contract of employment on the grounds of capability.

Section 1: Suitable Alternative Employment

Discussions as to whether an employee should be considered for redeployment should start as early in the Supporting Attendance process as possible. Whilst the Council should consider redeployment as an alternative to dismissal the employee is not obliged to accept the offer to seek suitable alternative employment. However, employees must be advised of the likelihood of them being dismissed from their post if they do not pursue redeployment.

Some employees may not be well enough, either physical or mentally to consider redeployment and advice on the suitability of redeployment in relation to the circumstances of each individual should be sought from occupational health.

If it has been determined that redeployment is a suitable option an employee will be placed on the redeployment register for a period not normally exceeding 12 weeks, unless there have been extenuating circumstances which warrant special consideration. Management will consider each case on its own merits, and in consultation with Employee Relations.

Employees in a redeployment situation will be considered for suitable alternative posts, provided they meet the essential criteria, or could satisfy the essential criteria with a short period of training during the period of the job placement.

Section 2: Role of the Manager

Managers should attempt to find suitable alternative employment within their own Service in the first instance and then across other Council Services. This will include considering employees for employment at other locations and/or on other appropriate duties including posts which are not necessarily the same as their existing grade, or on their existing salary/wage but which are as near as is practicable to the employee's substantive terms and conditions of service.

In the case of employees with a disability, the manager must first consider making suitable reasonable adjustments where appropriate, under the terms of the Equality Act 2010, and in line with case law before offering redeployment.

The managers will be required to ensure the employee completes a redeployment profile form providing details of their skills, experience, and knowledge. The line manager should where possible assist the employee with the completion of the form.

Further guidance on the redeployment process for managers and employees can be found [here](#)

Section 3: Employees Responsibility

When it has been agreed that redeployment will be sought, employees have a responsibility to engage in the process to achieve a positive outcome. The employee must do the following:

1. Complete the redeployment profile form
2. Meet with the redeployment co-ordinator who will explain the process
3. Attend redeployment interviews as arranged by the redeployment co-ordinator
4. Regularly review any internal vacancies and inform the redeployment co-ordinator of any that are of interest to you

Should an employee refuse an offer of suitable alternative employment then the Supporting Attendance process would resume, and a decision made on their continued employment with the Council.

Section 4: Role of Employee Relations

From the start of the process, Employee Relations will provide advice and support as necessary to both managers and employees.

Discussions about redeployment and whether it should be explored will be discussed during the Supporting Attendance process, which Employee Relations support.

Employee Relations may also provide support during the redeployment process such as liaising with the Redeployment Co-ordinator to identify suitable alternative vacancies, assisting the employee to complete the redeployment profile, facilitate discussions between services and support managers in discussing the suitability of vacancies with the employee etc.

Once the redeployment process has been exhausted, as a result of the efforts of all parties, if no suitable alternative is found, consideration will need to be given as to how to proceed taking each the circumstances of each case into account. Employee Relations will provide advice and support to managers as to the next steps, in accordance with the Supporting Attendance process.