



# SHREWSBURY TOWN COUNCIL

## Redeployment Policy

### **AIMS OF THE POLICY**

The Policy and Procedure have been drawn up in order to avoid wherever possible dismissals by reason of redundancy, capability or ill health and disability. It details the manner in which Shrewsbury Town Council intends to meet its obligations under such legislation as the Disability Discrimination Act, the Employment Rights Act, Employment Relations Act and the Human Rights Act. This Policy may be used in conjunction with the Council's Policy on Handling Capability Issues, Sickness Management or Redundancy.

The skills and experience of employees are valued highly by the Town Council, which recognises the importance of avoiding redundancies or dismissals wherever possible. The Council will take steps to avoid redundancies or dismissals occurring and only after all other alternatives, such as alternative employment or job redesign, have been considered will redundancy/dismissal be made.

### **CIRCUMSTANCES WHEN THIS POLICY APPLIES**

To ensure equitable treatment, all permanent employees, full-time or part-time, including people on fixed term and temporary contracts of two years or more, whose employment is potentially at risk, will be subject to the Redeployment Procedure.

The reason for being 'at risk' could be on capability grounds (ability or medical grounds), potential redundancy or for some other exceptional reason.

Throughout the redeployment process staff are entitled to representation; a friend or Trade Union representative may attend any meetings during the redeployment period.

### **Staff with less than two years local government service**

Staff who have over one year, but less than two years, local government service will receive the support set out in this policy. However, they are not entitled to redundancy payment or salary protection until they have accrued two years local government service.

### **Ill health/disability**

Whilst an employee may be placed on the redeployment register because of ill health/injury/disability, there are a number of steps which must be completed before considering redeployment. These are set out later in this policy.

### **Redundancy**

An employee must be placed on the register as soon as a potential redundancy is identified. An employee will be entitled to reasonable paid time off for "job hunting" subject to prior permission.

Assistance with completing application forms and interview techniques is available for 'at risk' employees. Employees who require assistance should contact their service manager.

Should the employee fail to obtain a post, or if any trial period(s) of redeployment is (are) unsuccessful, the redundancy will be implemented.

## **Ability**

In circumstances where an employee has been promoted to a senior role and within a six months period it has been identified that this post is not suitable, the provisions set in this policy will apply, except pay protection.

Should the employee fail to obtain a post, or if any trial period(s) of redeployment is (are) unsuccessful, the employee's contract may be terminated.

## **Exceptional Circumstances**

Employees and their line managers may request placement on the register for the employee if they feel jointly that a transfer from their present job would be of benefit for some exceptional reason. Examples of this may be because of a severe personality clash within the team, or where a previous grievance has led to an irresolvable and uncomfortable atmosphere within the team. The line manager/Town Clerk must support this request.

If, at any time, it is felt that the matter may be dealt with by other means, and the line manager is in agreement, the employee's name will be removed from the register.

## **PROCEDURE**

The HR team will maintain a register of all vacancies within the Town Council. They will also maintain a register of those staff eligible for redeployment.

Staff are placed on the Redeployment Register as follows:

- Whenever an employee is identified as being at risk the line manager must meet with the individual, who may be accompanied by his/her Trade Union or other representative. The purpose of the meeting will be to explain to the employee the reasons for redeployment and the Redeployment Scheme. The line manager must then complete the referral form. The form should then be forwarded to the HR team for the employee's name to be entered onto the redeployment register. Once this has been done, the employee will be sent a confirmatory letter.
- An employee at risk will be required to complete a redeployment form, giving full details of skills, knowledge, experience and abilities. An assessment can then be made of the type of job for which he/she might be suited or be interested in, and any reasonable training may be offered.
- Employees on the register will be given priority consideration for posts of the same or a lower grade.
- Whenever possible the 'at risk' employee will be considered for the post before the vacancy is advertised. However, should an employee become at risk at a later stage, the recruitment process must be put on hold until such time as the employee has been considered for the post.
- Employees at risk may apply for higher graded posts but will not be given priority consideration.
- Whilst on the redeployment register consideration will continue to be given to any reasonable training/re-training that may facilitate redeployment.
- The HR team will issue the vacancy list to all employees on the redeployment register. The employee will have five working days to submit their interest in a post, during which period the advertising of the post must be frozen. The onus is on the redeployee to seek out suitable alternative employment. If a redeployee refuses offers of employment which are deemed to be suitable they may jeopardise their entitlement to a redundancy payment.
- The line manager will consider the application in the usual way against the person specification. If the employee meets the essential criteria, or it appears that he/she will be able to carry out the duties of the post within a reasonable length of time and/or after a reasonable period of training (see below) he/she will be granted a skills match interview.

## **SKILLS MATCH INTERVIEWS**

The Skills Match interview is an opportunity for the line manager to gauge the redeployee's suitability for the role. The skills match interview is most appropriate where a redeployee is seeking a role that is substantially similar within a restructured service. The relevant line manager for that role should meet with the redeployee and go through the person specification and determine where the redeployee meets the specification, and any training needs which may be appropriate. The line manager should keep a record of the skills match interview with a list of the criteria on the person specification, and the redeployee's experience which addresses each requirement.

If the redeployee meets the minimum appointable score (as determined in advance by the recruiting manager, including any mandatory qualifications, eg professional or technical qualification) then he/she must be offered a trial period of employment.

So long as the line manager is happy that the redeployee broadly meets the employee specification criteria (ie there are no shortfalls which cannot be addressed by training which can be completed within a six month period) then he/she should offer them a trial in post.

Any offer of a trial period should be confirmed, in writing, to the redeployee, detailing the work base, salary, hours and job title.

## **FORMAL INTERVIEWS**

All posts which are the subject of competition between redeployees and where a redeployee is applying for a substantially different post, must involve a formal, recorded interview with at least two staff on the interview panel (one of whom must have attended the Recruitment and Selection course). In order to be deemed suitable for a trial period the redeployee must achieve the minimum appointable score, agreed in advance by the panel. Advice is available from the HR team.

If the redeployee is successful at interview, he/she must be offered a trial period of four weeks in the post.

Where redeployees are interviewed but not considered suitable, the employing manager should arrange to meet with the redeployee giving them substantial and objective reasons for non-selection. The redeployee will remain on the register.

## **THE TRIAL PERIOD**

The trial period must be a minimum of four weeks (this is a legislative requirement) and can be up to a maximum of six months, where training needs are identified which require a longer period to bridge skills gaps.

In some circumstances, it may be determined that the trial should be extended, particularly in the case of roles with unusual work patterns or a wide variety of responsibility. Before confirming any extension to a trial, the employing manager should consult the HR team to confirm that this does not create a problem for the manager seeking to redeploy the individual.

At the end of a trial period the manager must meet with the redeployee and confirm the outcome of the trial. If the line manager is happy to appoint the redeployee they should confirm the trial has been successful and inform the redeployee that they will be offered the contract for the role. If the trial has been unsuccessful, the line manager must feedback the reasons for this to the redeployee.

Employees are not necessarily expected to be fully conversant with all aspects of the job after the initial trial period. Where the employing manager does not feel that their performance is adequate, or is unlikely to become so, or the employee is not satisfied with the job, the employee will revert to his/her original post and be placed back on the redeployment register for the remainder of the redeployment period.

## **TRIAL PERIOD – PERFORMANCE MONITORING**

When the line manager offers a trial period of employment, he/she, in liaison with the HR team, must draw up an induction and development plan. The line manager must arrange to meet with the redeployee on a weekly basis to review progress and feedback any concerns or achievements.

The line manager must monitor and review the situation with the employee to ensure that any issues that may have arisen are addressed, or to reassure the employee of his/her performance. If additional training or support is required to enable the employee to become fully accustomed to the new job this should be arranged within the period. A form has been devised for this purpose.

In any case of dispute during the trial period, the Town Clerk will consider the reasons and will have the authority to override a decision either by the employee or the Service.

## **TRAINING**

Redeployees who do not meet all the criteria for the post may be suitable for some vacancies subject to successful retraining. In these instances, they should be appointed to the job and the employing department arrange appropriate retraining as identified during the selection/ redeployment process.

## **REDEPLOYMENT ON ILL HEALTH/DISABILITY GROUNDS**

Before an employee is placed on the register because of ill health/injury/disability consideration should be given to:

- Part-time, job share or flexible working possibilities.
- Phased return to work.
- Referral to the Disability Employment Advisor, to allow an assessment of abilities, potential and any need for aids or adaptations of systems and provision of equipment.
- Redesigning the existing job to facilitate the retention of the employee.

### **Phased Returns to Work**

There may be circumstances where an employee phases his/her return to work over a period. A phased return can help the employee to acclimatise him/herself back into the work routine and work tasks whilst also checking that he/she is, in fact, fit enough to return. This option may also mean that the employee is able to return to work earlier than he/she perhaps might have been able to.

Phased returns should take place over one calendar month, thus enabling the employee to build up his/her working hours. For example, a full-time employee may have a phased return starting in week one undertaking two days' work, and building up, week by week, until he/she is working his/her normal five days.

### **Pay During Phased Returns**

During this period the employee will receive his/her normal pay, as though he/she had returned to work his/her normal contractual hours. However, if the phased period is extended beyond one calendar month the employee must use annual leave or Time Off In Lieu to make up the time when he/she is not in work.

### **Job Redesign and/or use of Adaptations**

Where an employee has been certified permanently unfit to perform the normal duties of the post, consideration will first be given as to whether redesign of the job while retaining its essential characteristics will enable the employee to continue in post.

Wherever a reasonable adjustment to relocate key functions of the job or to provide items that will assist the employee to perform the duties of the post can be achieved, this must be done.

As part of the assessment process for determining whether job redesign and/or provision of adaptations will enable the employee to continue in post performing the essential characteristics of the job, the HR team will interview him/her. The opportunity should be given for the employee to be accompanied by a friend or representative. If job redesign and/or provision of adaptations will not enable the employee to remain in his/her post, then an assessment will be made of redeployment opportunities within the Town Council with regard to experience, qualification and suitability for other posts, taking into account any medical limitations. If necessary retraining will be provided.

Further advice and guidance are available from: <http://www.disability.gov.uk>.

### **Cost of Adaptations**

Access to Work (AtW) is a government scheme, administered by Jobcentre Plus, that can offer a grant towards the approved costs that arise because of an individual's disability.

Further information on the AtW service can be found at:

<http://www.jobcentreplus.gov.uk/cms.asp?Page=/Home/Employers/DisabilityServiceshelpforEmployers/AccessstoWork>.

If it has been determined that there are no reasonable adjustments to accommodate a disabled employee, the line manager should inform the HR team and the individual should be registered on the redeployment list.

Every effort will be made to redeploy the employee into an alternative post within the Town Council.

### **Medical Redeployment**

In addition to the procedure set above, the following will also apply:

- There must be an Occupational Health report which makes specific reference to suitability for redeployment.
- Each vacancy will be considered against redeployees taking into account any reports from assessment centres, the Occupational Health or the employee's GP to assess their suitability.
- An application should not be rejected until the Town Council has rigorously explored the possibilities of job redesign and/or the use of adaptations. Wherever a reasonable adjustment to relocate key functions of the job or to provide items that will assist the employee to perform the duties of the post can be achieved, this must be done.

### **Trial Period – Medical Redeployment**

Where an employee is redeployed, the employing manager, in liaison with the HR team and the Occupational Health Advisor, will draw up an induction programme and development plan.

Where no suitable redeployment is found, the employee's services will be terminated. Unless there are exceptional circumstances, where the trial period proves unsatisfactory, the employee's services will be terminated, in accordance with the relevant policy.

### **Termination of Service on Grounds of Ill Health**

After all these steps have been taken, should the possibilities for redeployment be exhausted, the line manager shall write formally to the employee notifying them of the termination of their services on the

grounds of ill health. The provisions for early retirement on ill health grounds apply where the employee is a member of the Pension Scheme.

### **PROTECTION OF PAY IN REDEPLOYMENT**

If an employee who is redeployed under this procedure to a post where the contractual pay is less than the contractual pay of the post being vacated, then the Town Council's Pay Protection Policy will apply.

The redeployee's salary will continue to be borne by the redeploying service area throughout any trial period. If the only alternative employment available is at a lower grade than the redeployee's substantive post, salary protection costs (the differential between the old and new salaries) are borne by the redeploying service.

Salary protection is paid pro-rata, ie if a redeployee took on a part-time role (where they were previously full-time) only the hours worked would have the hourly rate protected.

Redeploying managers will be responsible for meeting reasonable costs for training displaced staff.

### **NOTICE PERIODS**

If the redeployment is unsuccessful after the first trial period, the employee will be entitled to another trial period of up to 4 weeks (if this is possible within the notice period). If the second trial period is unsuccessful (or if there is insufficient time within the notice period for a completion of this) then a final trial period may be offered.

In case of redeployment as a result of redundancy, if an employee is on a trial period of employment in a new job at the end of the redundancy notice period, then the notice will be deferred until the end of the trial period of employment.

Where no suitable redeployment is found before the end of the redundancy notice period, the employee's services will be terminated. Where an employee's services are terminated on the grounds of redundancy after the unsuccessful trial periods, all redundancy and associated payments will be based on the employee's substantive post.

It should be noted that under the Redundancy Payments (Local Government Modification) Orders alternative employment if offered by another Local Authority or related service will be treated as if offered by Shrewsbury Town Council. If alternative employment has been agreed by the Town Council and Trade Unions as broadly comparable and offered to an employee under consideration for redundancy there will be no entitlement to a redundancy payment if the employee rejects this alternative employment.

### **APPEALS PROCEDURE**

Employees shall have the right to appeal by writing to the appropriate line manager within ten working days of the date of notification to the as to the reasonableness of any redeployment offer. Where the line manager is the service manager the right of appeal shall be to the Town Clerk.

### **COUNSELLING**

The effect of redundancy or ill health can be devastating. Line managers dealing with these employees should always be sympathetic and supportive as well as practical, open and fair. The HR team will make available the opportunity of counselling or advice.

|  |                       |
|--|-----------------------|
| <b>Approved by Personnel Committee</b> | <b>3 August 2022</b>  |
| <b>Adopted by Council</b>              |                       |
| <b>Review Date</b>                     | <b>September 2023</b> |

|                                   |
|-----------------------------------|
| <b>REDEPLOYMENT REFERRAL FORM</b> |
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This form should be completed by the relevant Supervisor/Manager and be returned to the HR team.

**Employee Details:**

|                             |  |
|-----------------------------|--|
| Employee's Name:            |  |
| Service Unit:               |  |
| Employee N <sup>o</sup> :   |  |
| Local Authority Start Date: |  |

**Current Job Details:**

|  |  |
|--|--|
| Job Title:   |  |
| Start Date:  |  |
| Current Grade:   |  |
| Current SCP (if applicable):   |  |
| Reason for Redeployment:<br>(if capability, please indicate any Occupational Health referrals) |  |

|                           |  |
|---------------------------|--|
| Signed:                   |  |
| Name:<br>(Block Capitals) |  |
| Position:                 |  |
| Extension Number:         |  |

**For Admin Use only:**

|                                |  |
|--------------------------------|--|
| Date entered on Register:      |  |
| Effective date of termination: |  |

|                                      |
|--------------------------------------|
| <b>REDEPLOYMENT APPLICATION FORM</b> |
|--------------------------------------|

**Personal Details:**

|                        |                 |
|------------------------|-----------------|
| Surname:               | Name:           |
| Title: Mr/Mrs/Miss/Ms* |                 |
| Address:               |                 |
| Home Tel:              | Work Tel:       |
| Mobile Tel:            | E-Mail Address: |

**Current Post:**

|                                |                         |
|--------------------------------|-------------------------|
| Job Title:                     |                         |
| Post N°:                       | Service Unit:           |
| Grade:                         | Current SCP:            |
| Full-Time/Part-Time/Job Share* | Hours of work per week: |
| Authority Start Date:          | Years in current post:  |

**Qualifications / Training / Experience:**

|                                 |
|---------------------------------|
| Work Experience gained to date: |
|---------------------------------|



|  |     |  |    |  |
|--|-----|--|----|--|
| Skills/Qualities you feel may be useful for future employment:                 |     |  |    |  |
| Formal Qualifications (including dates and grades):                            |     |  |    |  |
| Training Courses Attended (including dates):                                   |     |  |    |  |
| Would you be prepared to undertake further training?                           | Yes |  | No |  |
| Would you be prepared to attend training courses outside normal working hours? | Yes |  | No |  |
| Do you have access to a car for work?  | Yes |  | No |  |
| Do you have a driving licence? Full / Provisional / HGV / None                 |     |  |    |  |

**Preferred Employment**

|  |  |           |  |                  |
|--|--|-----------|--|------------------|
| What sort of posts would you consider?                               |  |           |  |                  |
| What is the minimum salary per annum that you would find acceptable? |  |           |  |                  |
| Which of the following working patterns would you consider?          |  |           |  |                  |
| Full-Time  |  | Part-Time |  | Job Share        |
|  |  |           |  | Shift Work       |
|  |  |           |  | Unsociable Hours |

**Special Considerations:**

This should include any circumstances that you would wish to be taken into consideration when applying for a job, eg a disability, domestic responsibility etc.

Name: (Block Capitals)

Signed:

Date:

|                             |
|-----------------------------|
| <b>PROGRESS REVIEW FORM</b> |
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In accordance with the Redeployment Policy, this form should be used to monitor the performance of an employee undertaking a trial period. Progress meetings should take place fortnightly and a copy of the completed form should be sent to the Town Clerk.

**Personal Details**

|                                 |  |
|---------------------------------|--|
| Name:                           |  |
| Position:                       |  |
| Trial period commencement date: |  |
| Trial Period end date:          |  |
| Date of review:                 |  |
| Name of Supervisor:             |  |

**Performance Review Factors**

|                                    |  |
|------------------------------------|--|
| Brief summary of tasks undertaken: |  |
| Summary of skills gained:          |  |
| Aptitude for the job:              |  |
| Things done well:                  |  |

|   |       |
|---|-------|
| Areas for improvement:                      |       |
|   |       |
| Interaction with public/colleagues:         |       |
|   |       |
| Attendance:                                 |       |
|   |       |
| Timekeeping:                                |       |
|   |       |
| Training attended:                          |       |
|   |       |
| Training/Learning outcome(s) if applicable: |       |
|   |       |
| Employee:                                   | Date: |
| Supervisor:                                 | Date: |