

Redeployment Policy and Procedure

1 Introduction

This policy is discretionary in nature. Whilst the University expects its employees and staff to comply with this policy, it does not confer contractual rights or form part of any contract of employment and may be amended by the University or replaced at any time following appropriate consultation and negotiation with recognised trade unions.

Breach of this policy may be addressed via the University's disciplinary and code of conduct policies.

This policy will be reviewed by the Human Resources department on a 3-year basis or amended in response to changes in future legislation and/or case law.

2 Ownership

The Human Resources department owns and manages this policy on behalf of The University of Northampton.

3 Organisational Scope

The policy on the use of redeployment is a corporate policy and applies to all workers and employees of the University, including any wholly owned subsidiaries, unless an alternative policy exists, subject to any qualifying conditions.

4 Policy Statement

4.1 The University of Northampton is committed to retaining employees wherever possible.

4.2 The policy aims to ensure that the University meets its legal obligations to retain staff in employment in the following circumstances:

- When, by reason of disability and/or other medical reason, the individual is no longer able to continue in his/her current post, despite consideration of reasonable adjustments to that post.
- Where, as a result of organisational restructuring, the individual's post no longer exists in its current format.

- When a potential redundancy situation arises for reasons other than organisational restructuring.

4.3 The policy exists to ensure that all staff undergoing redeployment are treated in a fair and consistent manner.

5 Definitions

5.1 **Current post** – the post that an employee is occupying when redeployment becomes deemed as appropriate

5.2 **Suitable alternative employment** – a post that is comparable to the current post, considering the following measures - ascertained by comparing the two posts:

- Nature of the work
- Qualifications, skills, knowledge and experience required to carry out the work
- The aptitude or capability of the individual to undertake the work
- Working arrangements e.g. hours of work
- Level of responsibility (in relation to current post)
- Grade and pay
- Location

When a post identified as 'suitable alternative employment' for an individual is put forward to them and they decide not to be considered for it, or where it is offered to them and they decline it without providing a reasonable justification, the employee will forfeit any right to a redundancy payment.

5.3 **Alternative employment** – an alternative post within the organisation that does not meet the majority of the measures above, (in comparison with their current post).

An individual would not be offered a post which constitutes 'alternative employment' without having successfully completed a formal interview or other selection process. If an alternative post is offered to an individual following an interview or selection process which they then decline they will not forfeit any right to a redundancy payment.

6 Key Principles

6.1 Subject to any relevant qualifying conditions, this procedure applies to employees who:

- have been identified as being at risk of redundancy
- have a medical condition, as confirmed by Occupational Health, which requires a reasonable adjustment that cannot be made to their current post
- are on a fixed term contract that is due to expire before the original end date
- other reasons as agreed between the employee and HR, on a case by case basis, for example having experienced a breakdown in relationship with their line manager resulting from a bullying/harassment complaint, where all conflict resolution processes have been exhausted

- 6.2 The University will attempt to redeploy employees as outlined above, via one of two methods (determined by the employee, see procedure below):
- Reviewing vacancies against an employee's Redeployment Form or
 - Reviewing vacancies against the employee's current post.
- 6.3 The University cannot guarantee a redeployment opportunity will become available although every effort will be made to identify one.
- 6.4 Employees on notice of redundancy will be eligible for redeployment for the duration of their notice period, including their last day of employment.
- 6.5 In most redeployment cases, individuals will only be considered for posts of the same or lower grade as their current one. They will not normally be considered for a post of a higher grade. The individual can, however, still apply for a higher graded post in the normal way, following the University's standard recruitment procedure. (Exceptions may be made in cases relating to a disability covered by the statutory provisions relating to reasonable adjustments).
- 6.6 During the redeployment period, potentially redundant employees will continue to work in their current post unless not required to do so, in which case they may be asked to carry out other work of a comparative nature to their current post, or they may be put on garden leave. Employees will not normally be put on garden leave without their agreement.
- 6.7 Where relevant, any redeployment decisions must be compliant with rules set by UKVI (United Kingdom Visas and Immigration).
- 6.8 Staff and managers are required to fully cooperate in the redeployment procedure.
- 6.9 Any disputes in the application of this procedure will be addressed under the University's Grievance Policy and Procedure.
- 6.10 Unauthorised recording of conversations is prohibited. Anyone in breach of this may be subject to disciplinary action.

7 Procedure

Redeployment Form

- 7.1 In order to facilitate the redeployment process, the employee will be given the opportunity to complete the Redeployment Form. This enables the individual to detail their skills and experience from their current post as well as previous posts, and to outline the types of posts or areas of work that they believe they could fulfil.
- 7.2 It is the employee's responsibility to complete and return the form to HR if they wish to have the additional information it contains considered against job vacancies. If they do not do so, job vacancies will be reviewed against the individual's current post only.

Identifying Employment Opportunities

- 7.3 HR will regularly review vacancies against an individual's current post, and the details contained in their

Redeployment Form if they have completed and returned one.

- 7.4 If any potential employment opportunities are identified (whether suitable alternative or just alternative), HR will contact the employee and the recruiting manager to discuss them.
- 7.5 The employee will also be expected to consistently monitor vacancies on the University website and to notify their HR contact if they wish to be considered for a post. There is also the facility to set up vacancy alerts on these web pages.
- 7.6 Vacant posts should be considered as potential redeployment opportunities for employees who are within the redeployment process, before any other applicants are considered. If a post is already being advertised when an individual enters the redeployment process, they should be considered for the post before any other applicants, wherever possible.
- 7.7 Recruiting managers must consider an employee who is within the redeployment process as a potential match for their vacancy, including considering their transferable skills and skills that could be reasonably attained during the trial period (see section below on trial periods).

Identifying a Suitable Alternative Post

- 7.8 If HR and the recruiting manager reasonably believe (based on a review of their skills and experience in their current post and/or those detailed on their Redeployment Form), that an employee may meet (or may meet as a result of a reasonable amount of training and a trial period) all the essential criteria for a vacant post that they deem to be a 'suitable alternative', the individual will be asked to attend an informal interview.

The informal interview will be with the recruiting manager and member of HR, and should take place as quickly as possible to avoid delaying the recruitment process for the vacancy.

- 7.9 If an employee unreasonably refuses to engage with the redeployment process, they will be removing themselves from the process and will effectively be resigning from their post.
- 7.10 If, following the informal interview, the recruiting manager and HR are satisfied that the employee meets all the essential criteria for the post (or could reasonably do so as a result of a trial period), the post will be offered to them, along with details of the trial period (see section on trial periods below). Such an offer will be made as 'suitable alternative employment'.
- 7.11 If, following the informal interview, the recruiting manager and HR do not believe the employee meets all the essential criteria (or could not reasonably do so as a result of a reasonable amount of training and a trial period), feedback should be given to the individual by the recruiting manager, explaining the reasons for that decision. The employee would then continue in the redeployment process.
- 7.12 If, following the informal interview, the employee is offered the post as 'suitable alternative employment' but they choose to decline the offer and do not provide a reasonable justification for doing so, they will lose their entitlement to a redundancy payment.

In addition, if they unreasonably decline suitable alternative employment following a trial period, they will lose their entitlement to a redundancy payment.

Identifying an Alternative Post

- 7.13 If HR and a recruiting manager believe (based on a review of their skills and experience in their current post and/or those detailed on their Redeployment Form), that an employee may meet (or may meet as a result of a reasonable amount of training and a trial period) the essential and/or desirable criteria for a vacant post which is not considered a suitable alternative in comparison to their current post, the individual will be given the opportunity to attend a formal interview/selection process (e.g. presentation, test etc).

This will be with the recruiting manager, a member of HR, and possibly a staff member external to the recruiting area too, and should take place as quickly as possible to avoid delaying the recruitment process for the vacancy.

- 7.14 If HR and a recruiting manager believe (based on a review of their skills and experience in their current post) that an employee would be likely to meet the essential criteria for a vacant post which is at a lower grade than their current post; has different working arrangements e.g. hours of work or a different location; a different level of responsibility (in relation to current post); or a different grade and pay (and so is not a suitable alternative), the post may be offered to the employee without the need for a formal interview/selection process.
- 7.15 Identification of an alternative post could also be initiated by the employee, who should inform their HR contact. If they wish to apply for a post of a higher grade to their original one, they will need to apply and go through the University's normal recruitment process. However, due to their redundancy situation, they would be given priority over any other applicants.
- 7.16 If, following the formal selection process, the recruiting panel are satisfied that the employee meets all the essential criteria for the post (or could reasonably do so as a result of a trial period), the post will be offered to them, along with details of the trial period (see section on trial periods below). Such an offer will be made as 'alternative employment'.
- 7.17 If, following the formal selection process, the recruiting panel do not believe the employee meets all the essential criteria (or could not reasonably do so as a result of the trial period), feedback should be given to the individual by the recruiting manager, explaining the reasons for that decision. The employee would then continue in the redeployment process.
- 7.18 If more than one affected employee applies for a particular post, a competitive selection process in line with the University's normal procedure will take place, limited to those seeking redeployment.

Trial Periods

- 7.19 An employee who is redeployed into either a suitable alternative or an alternative post is entitled to a trial period of a minimum of four weeks. This can be extended, with the agreement of both parties.
- 7.20 The purpose of the trial period is for both parties to assess the suitability of the new post. If it has been deemed necessary for an individual to undertake a reasonable amount of training to help them to meet all the essential criteria for the post, this should happen as part of the trial period.
- 7.21 At the beginning of the trial period the manager should outline expectations (what is being assessed and how) and regular reviews should be held. Expectations and reviews should be documented on the Trial Period Review Form.

- 7.22 The employees notice period is frozen at the point a trial period begins.
- 7.23 Where the trial period has been successful, the employee will be confirmed in post.
- 7.24 If, at the end of the trial period the employee considers the post unsuitable and the University agrees with the reasons given by the employee, the individual will go back into the redeployment process for the remainder of their notice period (they may be put on garden leave if their original post is no longer available) and they will not forfeit their right to a redundancy payment if they are eligible for one. If the University considers the reasons to be unreasonable, the employee will forfeit the right to a redundancy payment. If no other post is identified by the end of the notice period, employment will be terminated by the relevant procedure.

If the manager considers that the employee is not suitable for the post, the individual will go back into the redeployment process for the remainder of their notice period (they may be put on garden leave if their original post is no longer available) and they will not forfeit their right to a redundancy payment if they are eligible for one. Feedback will be given to the individual about why the trial period was considered to be unsuccessful. If no other post is identified by the end of the notice period, employment will be terminated by the relevant procedure.

- 7.25 The employee's original department will continue to fund salary payments until the employee is confirmed into a new post or until their employment is terminated.

Pay Protection

- 7.26 In some circumstances an alternative post (i.e. alternative employment as per the definition above) may be offered that is a lower grade. In this situation, salary protection will apply for a period of one year, where the alternative post is a maximum of two grades lower than the original post'.

Pay protection as outlined above will only apply when an employee is offered a post at a lower grade.

Assistance with Applications

- 7.27 Staff in a redeployment situation are eligible to receive support in completion of CVs and interview skills. Staff should contact their relevant HR contact.

8 Associated Documents

- 8.1 Redundancy Policy and Procedure
Sickness Absence Management
Grievance Policy and Procedure

9 Approval Process

To be confirmed

10 Equality Analysis

A copy of the Equality Analysis is available.

11 Version Control

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