

# Redeployment Procedure

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**Signed on behalf of the Trust:**

**Anna Hills, Chief Executive**



**Signed on behalf of Staff Side:**

**Shona Greig, Staff Side Secretary**

### Version Control Page

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1.0	May 2015	Rachel King	New Procedure
2.0	August 2019	Linda Thomas & Shona Greig	Changes: <ul style="list-style-type: none"><li>• Minor wording changes</li><li>• Change Staff Side Forum to Joint Consultation &amp; Negotiating Partnership</li><li>• NHS Jobs changed to TRAC</li><li>• Changes to Paragraph 5.6 Substantive Line Manager, 5.7 Recruiting Line Manager and 5.8 Employee</li></ul>
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## **1 Introduction**

Cambridgeshire & Peterborough NHS Foundation Trust (CPFT) recognises and values the contribution of all employees and is committed to utilising the skills and experience of our workforce to provide the best possible care for patients. It is recognised that a change in circumstances may necessitate the redeployment of employees to alternative roles and as such CPFT is committed to ensuring a fair and consistent approach is applied by all parties.

## **2 Purpose**

The purpose of this procedure is to ensure that all redeployment issues are dealt with in a fair, consistent and timely manner. This procedure highlights the different circumstances when an individual may be redeployed and outlines the process and procedure to be followed.

## **3 Scope**

This Procedure applies to all employees of CPFT (excluding Doctors in Training).

## **4 Definitions**

### **4.1 Redeployment**

This means an offer of suitable alternative employment or a redeployment post for an employee.

### **4.2 Suitable Alternative Employment**

Employment that is 'substantially equivalent' to the employee's current post, taking into account, terms of pay, working hours, status, band, location and working environment. Suitable alternative employment will only be deemed appropriate where the employee secures a post at either the same band as their substantive post or one band below. Where suitable alternative employment is deemed appropriate at a lower band (one band below) then pay protection applies. Consideration should be given to the employee's personal circumstances; however, the employee will be expected to show some flexibility.

### **4.3 Redeployment Post**

A redeployment post shall be a post within which the employee may have the ability to fulfil the essential criteria of the post or with additional training and an action plan with SMART objectives, from the outset or within a reasonable time frame, usually not exceeding 3 months.

### **4.4 Redeployee**

Refers to an employee who is unable to remain in or return to their former role.

### **4.5 Redeployment Register**

Refers to the list of employees for whom suitable alternative or redeployment posts are being sought. The redeployment register is held by the HR Department, within People Services.

### **4.6 Substantive Manager**

Refers to the manager of the employee who requires redeployment.

## **5 Duties**

### **5.1 Chief Executive**

The Chief Executive has the responsibility to ensure that the policies and procedures of the organisation are fair and consistent.

## **5.2 The Director of People and Business Development**

The Director of People & Business Development has the overall responsibility for ensuring compliance with this Procedure.

## **5.3 Associate Director – People Services**

The Associate Director – People Services will oversee the introduction, operation and monitoring of this Procedure.

## **5.4 Joint Consultative and Negotiation Partnership (JCNP)**

The Staff Consultative Forum has responsibility for the monitoring and review of the application of this Procedure.

## **5.5 People Services**

People Services will:

- a. Ensure adherence to the redeployment procedure and provide support and guidance to managers and affected staff throughout the process.
- b. Maintain and keep an up to date Redeployment Register.
- c. Add the redeployee and their substantive manager to the weekly vacancy notification distribution listing.
- d. Help identify any suitable alternative posts by 'matching' posts to redeployees.
- e. Provide advice to the redeployee, their current line manager and the potential receiving line manager throughout the redeployment process.
- f. Promote consistent Procedure application across the Trust through regular monitoring and reporting to the JCNP.

## **5.6 Substantive Line Manager**

The substantive line manager is responsible for:

- a. The dissemination of the Redeployment Procedure to their team when appropriate.
- b. Ensuring that the Redeployment Procedure is followed for any of their team members as soon as it is identified they require redeployment.
- c. Inform and discuss with the employee how the redeployment situation has arisen and discuss options available.
- d. Maintaining a record of all meetings and communications regarding the Redeployment Procedure in relation to any of their team members.
- e. Check the weekly vacancy listings and notify their HR Representative of any potential redeployment situations.
- f. Identifying any suitable alternative and redeployment posts available within their area or other areas prior to them being advertised
- g. Notify the recruiting managers if a suitable post has been found and ensure a redeployment meeting is arranged.

- h. Supporting and encouraging the enhancement of transferable skills by training, re-training and coaching.
- i. Providing on going advice and support to their team members throughout the redeployment process.

### **5.7 Recruiting Line Manager**

Recruiting Line Managers are responsible for:

- a. Ensuring preference is given to redeployment candidates where a skill match or potential skill match exists for any vacancy in their area.
- b. Liaising with HR and providing up to date information about any vacancies
- c. Liaise with the substantive managers if a suitable alternative post has been found and ensure a redeployment meeting is arranged.
- d. Conducting interviews in line with the redeployment process
- e. Providing written feedback to HR on the non-appointment of a redeployee. This information should include the areas where the redeployee did not demonstrate adequate relevant experience, or hold relevant skills and knowledge which could not be built upon in relation to the requirements of the job description and person specification
- f. Provide direct feedback to the redeployee on the reasons why they were not successful.
- g. Maintaining contact with the substantive manager throughout the redeployment process.
- h. Support and encourage the enhancement of transferable skills by training, re-training and coaching.
- i. Supporting the redeployee during any trial period by agreeing clear objectives and meeting regularly .

### **5.8 Employee**

Employees, during the redeployment period, will be supported to:

- a. Co-operate and adhere fully to the Redeployment Procedure.
- b. Undertaking their existing role, if applicable and / or available, or an agreed interim role throughout the period of redeployment
- c. Look for suitable alternative employment and redeployment posts.
- d. Completing the Redeployment Record Form with their Line Manager.
- e. Providing detailed, prompt and accurate information throughout the redeployment process about their knowledge, skills and abilities
- f. Be as flexible as possible when considering suitable alternative posts which may include considering applying for different roles, work location, developing new skills and to not unreasonably refuse a suitable alternative role or redeployment post.

- g. Being available to attend redeployment meetings and informal interviews as required when offered .
- h. Participating fully in any training required.

## **5.9 Trades Unions/Staff Side**

Trades Unions are responsible for:

- Supporting and advising Trades Union Members and providing feedback on the process
- Providing advice and support to Line Managers regarding redeployment

## **6 Principles & Values**

- It is essential that the Redeployment Procedure is adhered to throughout the redeployment process and all employees are treated fairly and consistently, in line with Agenda for Change.
- Employees who are in a redeployment situation must work jointly with the Trust in seeking suitable alternative employment or redeployment posts.
- There will be support mechanisms in place for all employees affected by redeployment, through Trades Union, Staff Side Colleagues, Insight (24 hours counselling) and People Services.
- Employees on the redeployment register will automatically be considered first for any vacant posts within the Trust, preferably at their current band or one band below their substantive post.
- Employees have the right to be consulted and represented by a Trades Union Representative or Trust Work Colleague during the process, except during any interview.
- Regular meetings should take place between the line manager and employee throughout the process, to review progress, exchange information and provide support and feedback.

## **7 Reasons for Redeployment**

### **7.1 Redeployment due to Organisational Change**

Where redeployment is as a result of employees being displaced due to organisational change, please use the Organisational Change Policy in conjunction with this Procedure. For any employee redeployed into a role one band below their substantive role as a result of organisational change, pay protection will apply in line with the Protection of Pay & Terms & Conditions of Service Policy and Agenda for Change. HR advice must be sought at an early stage in any organisational change.

### **7.2 Redeployment on Ill Health Grounds**

Occupational Health advice should be sought for all cases involving redeployment on ill health grounds. For any employee redeployed as a result of ill health, please use the Trust's Sickness Absence management and Employee Wellbeing Policy in conjunction with this Procedure. Pay protection will not apply to redeployment on Ill Health grounds. The sickness process will continue during the redeployment process.



Occupational Health advice may be sought to establish whether a post offered through redeployment on the grounds of ill health is suitable for an employee and whether any reasonable adjustments should be considered in line with the disability provisions of the Equality Act 2010.

### **7.3 Redeployment due to Capability/Performance Issues**

In cases of redeployment as a result of capability/performance issues, please refer to the Trust's Capability Policy, in conjunction with this Procedure. Employees redeployed as a result of capability/performance issues would only be eligible when applying for vacancies through TRAC to apply for different roles at the same band or vacancies at bands below their substantive post. Employees redeployed to a post on a lower pay band would not be entitled to pay protection.

### **7.4 Redeployment Following Disciplinary Action**

At a disciplinary hearing the panel may decide as part of the sanctions available to them to redeploy any employee(s). Where this involves downgrading, employees would only be eligible when applying for vacancies through TRAC to apply for vacancies at bands below their substantive post. This may be on a permanent or temporary basis. No pay protection would apply. Please refer to the Disciplinary Policy & Procedure.

### **7.5 Redeployment Following the ending of a Fixed Term Contract**

For redeployment for Fixed Term Employees, please refer to the Trust's Temporary Employment Policy.

### **7.6 Other Reasons**

There may be other situations where redeployment is considered as an option for a member of staff. Before proceeding down any redeployment route this must be discussed with your designated HR representative.

## **8 Redeployment Procedure**

### **8.1 Redeployment Meeting**

At the start of the redeployment period, the line manager will meet with the employee(s) affected, an HR and/or a Trades Union Representative may be in attendance. The meeting will follow the application of the Redeployment Procedure along with the relevant policy: Sickness Absence Management and Employee Wellbeing at Work, Organisational Change, Capability, Disciplinary, Temporary Employment Policy etc. The employee may wish to be accompanied at this meeting by a Trades Union Representative or Trust Work Colleague.

The Redeployment Record Form will be completed at the Redeployment Meeting with the Line Manager. In some circumstances the Line Manager may want to send the Redeployment Form to the employee prior to the meeting to enable the employee to begin completing the form.

During the meeting the Redeployment Procedure will be explained and next steps clarified. The employee should be encouraged to be proactive and identify potential redeployment opportunities and bring any vacancies in which they are interested in to the attention of their manager. A letter outlining the discussions should be sent to the employee by their line manager.

The HR Department will be responsible for inputting the details from the

Redeployment Form on to the Redeployment Register.

## **8.2 Redeployment Register**

The Redeployment Register will contain information on the redeployee's skills, experience, qualifications and basic personal information. Employees on the redeployment register will be given access to restricted jobs, if applicable, which will give employees the opportunity to apply for posts which are advertised on a restricted basis. Reasons for redeployment may include:

- a. Employees on health-related redeployment covered by the Equality Act.
- b. Employees displaced as a result of organisational change or Fixed Term Contracts
- c. Employees on pay protection
- d. Employees seeking redeployment for other reasons

**NB** There are special provisions that apply to pregnant employees and those on Maternity Leave, please refer to your designated HR representative or Trades Unions for information.

## **8.3 Vacancy Matching**

Line Managers will be responsible for monitoring vacancies, to establish whether any posts are potentially suitable for any of their employees seeking redeployment.

## **8.4 Match Identified**

Where a potential match is identified (the employees' knowledge skills, experience, qualifications closely meet the minimum requirements on the Person Specification) the HR representative will liaise with the recruiting manager and the Line Manager, who will notify the employee accordingly and seek an expression of interest.

The Line Manager will be responsible for advising the recruiting manager that there is a potential redeployment interest.

For new redeployees entering the redeployment register where the post had already been advertised, if there is a potential match the recruiting manager will be contacted for them to meet with the redeployee prior to any interviews taking place.

For all new vacancies, the redeployment register will be reviewed and where there are any potential matches, the post will be ring fenced for 7 calendar days.

Where an employee(s) expresses an interest in a vacancy, their completed Redeployment Form will be forwarded to the recruiting line manager to review against the vacancy and an informal interview will take place.

Where there is more than one employee in the priority group interested in the vacancy, competitive interviews will take place.

## **8.5 Informal Interview**

Where only one candidate expresses an interest in a vacancy the recruiting manager will meet to discuss the role in greater detail and identify whether the employees skills, knowledge and abilities closely match the essential criteria of the Person

Specification and explore any limitations, any adjustments, which can include training, and the ability to work at different locations and/or different hours.

#### **8.6 Competitive Interview Process**

Recruiting line managers are responsible for organising interviews of any identified employees on the redeployment register who have applied for the post, based on the employee's knowledge, skills, experience closely meeting the minimum requirements of the person specification.

#### **8.7 Redeployment Option Declined/No Match Identified**

If employees do not express an interest in the offer of suitable employment or redeployment the Line Manager will discuss the implications of the redeployee's decision with them. The conversation will be confirmed in writing to the employee. Where an employee who is at risk of redundancy unreasonably refuses an offer of a suitable alternative post, or fails to apply for the offered suitable alternative posts within CPFT, then he or she will be deemed to have refused suitable alternative employment, which may jeopardise his or her entitlement to redundancy. Please see Section 10. – Suitable Alternative Post.

Recruiting line managers who choose not to offer a permanent post following the trial period must provide substantiated and reasonable evidence for non-appointment. The reasons for non-appointment will be provided in writing by the recruiting manager to the individual and the HR Department who will record the reasons on the Redeployment Register.

#### **8.8 Trial period**

The trial period will be for a minimum of 4 weeks. Under exceptional circumstances and in agreement with the recruiting manager, the HR representative, employee and their Trades Union Representative there may be the potential for this trial period to be extended i.e. where additional training is being undertaken, where adjustments are being implemented etc. Any extension to a trial period may be agreed before commencement to post or may be identified during the 4 week trial period.

The recruiting manager should set out and agree clear, achievable objectives with the employee at the beginning of the trial period so that progress can be monitored by all parties. The terms of the trial period will be confirmed in writing to the employee prior to the commencement of the trial. In all cases, the employee will remain employed on his or her substantive terms and conditions of employment throughout the duration of the trial period.

The recruiting manager and the employee should meet regularly throughout the trial period to review progress against the objectives, support provided and any agreed training. This should be documented.

If during the trial period either the employee or manager identify that the new post is unsuitable both parties should meet to explore the issues which will need to be discussed in more detail with HR. If the reasons are considered reasonable then the employee will be reconsidered for further redeployment opportunities. This will be provided in writing to the employee. Management reserves the right to make the final decision on this matter, although the views of the employee and their representative will be taken into account.

Through organisational change, if a trial period is unsuccessful, the redeployee will retain their right to receive a redundancy payment, if further suitable alternative employment or redeployment cannot be sourced.

At the end of the trial all parties will meet to review the situation. Where the trial has been successful, any appropriate NHS employment checks will be undertaken and then the decision will be taken to permanently redeploy the member of staff into the substantive post. This will be provided in writing to the employee. The employee will be removed from the Redeployment Register.

Whereas a result of organisational change an employee has been redeployed to a post at a band below their substantive post, in line with the Organisational Change Policy, they will remain on the Redeployment Register.

If the post is for fewer hours than the employee's substantive post, the employee will remain on the Redeployment Register to identify vacancies for the remaining number of hours and their pay will be protected in line with policy.

## **9 Timescales for Redeployment**

All employees on the Redeployment Register will be reviewed on a case by case basis to determine appropriate support and next steps. This should be discussed between the employee, their representative and the organisation.

## **10 Suitable Alternative Employment**

CPFT will make all reasonable attempts to identify a suitable redeployment opportunity for any employees who are identified for redeployment either in their own organisation or through arrangements with another NHS employer, if applicable.

Employees who are to be redeployed must work jointly with CPFT in seeking suitable alternative employment and should not unreasonably refuse any appropriate opportunity. Where an employee who is at risk of redundancy unreasonably refuses an offer of a suitable alternative post, or fails to apply for offered suitable alternative posts within CPFT, then he or she will be deemed by the Trust to have refused suitable alternative employment, which may jeopardise his or her entitlement to redundancy.

A suitable alternative post will be defined in terms of pay, working hours, status, grade, location and working environment. In considering whether a post is deemed as a suitable alternative, consideration will be made to the personal circumstances of the employee, although employees will be expected to show flexibility by adapting their domestic arrangements where possible. Where a redeployee is considered for an available suitable alternative post, management reserves the right to make the final decision as to whether or not to offer the employee that post. All decisions should be documented and feedback given to the redeployee in writing within 7/14 days.

Any suitable alternative employment must be brought to the employee's notice in writing or by electronic means agreed with the employee, before the date of termination of contract and with reasonable time for the employee to consider the offer. The employment should be available not later than four weeks from the date of offer.

## **11 Termination of Employment**

At the start of the redeployment process, employees will be advised that they must work jointly with CPFT in seeking a suitable alternative employment or redeployment post and should not unreasonably refuse any appropriate opportunities. CPFT will make all reasonable attempts to identify suitable redeployment opportunities however employees will be advised that in exceptional circumstances a potential outcome of this process is the termination of employment. If employees do not actively participate in the process and/or unreasonably objects to a post without full justification, the employee may jeopardise their right to a redundancy payment.

## **12 Pay Protection**

In line with the Protection of Pay & Terms & Conditions of Service Policy, in circumstances where an employee is adversely affected by organisational change, there will be arrangements for protecting pay and terms & conditions of service for employees who secure an alternative role one band below their substantive post as an alternative to redundancy.

## **13 Training and Support**

Many employees may require additional support during times of change and therefore support can be obtained from the employees' line manager, Trades Union Representative, designated HR representative and Insight (24 Hour Counselling Services).

Where it is appropriate, training will be identified and agreed to support employees at risk of redundancy to undertake any new roles and responsibilities.

## **14 Appeals Procedure**

If an employee feels aggrieved about the operation of this procedure, they should lodge a grievance with their Line Manager, within 7 calendar days of notification of the result of the process. This should be submitted in writing and provide details of the reasons that the employee is aggrieved.

The Line Manager will then deal with this in accordance with the Grievance Policy & Procedure for the Trust. Employees will be entitled to representation by a work colleague or Trades Union Representative at all stages of the Grievance Procedure.

## **15 Monitoring Compliance**

The effective implementation of this policy will be monitored by the Associate Director People Services and the JCNP.

## **16 Links to Other Documents**

- Disciplinary Policy & Procedure
- Sickness Absence management and Employee Wellbeing Policy & Procedure
- Protection of Pay & Terms & Conditions of Service
- Organisational Change Policy (Including Redundancy)
- Capability Policy & Procedure
- Temporary Employment Policy
- Grievance Policy & Procedure
- Appeals Procedure

## 17 References and Acknowledgements

- NHS Terms & Conditions of Service Handbook -  
[http://www.nhsemployers.org/~media/Employers/Documents/Pay%20and%20reward/AfC\\_tc\\_of\\_service\\_handbook\\_fb.pdf](http://www.nhsemployers.org/~media/Employers/Documents/Pay%20and%20reward/AfC_tc_of_service_handbook_fb.pdf)
- NHS Job Evaluation Handbook -  
[http://www.nhsemployers.org/~media/Employers/Publications/NHS\\_Job\\_Evaluation\\_Handbook.pdf](http://www.nhsemployers.org/~media/Employers/Publications/NHS_Job_Evaluation_Handbook.pdf)
- NHS Medical & Dental Terms & Conditions
- ACAS Booklets
  - Handling Large Scale Redundancies
  - How to Manage Change
  - Employee Communications & Consultation
- The Employment Relations Act 1996