

Title: Policy on Staff Redeployment

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Owner: Amanda Wilcock, Associate Director of HR

Author: HR Department

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SMT, Directors, JNCC, LNC

Policy Sponsor: Amanda Wilcock, Associate Director of HR

Ratified and Approved by: Insert relevant Committee name

Distribution: All staff in line with Policy on Policies

Compliance: Mandatory for all permanent & temporary employees, contractors & sub-contractors of North Yorkshire & York PCT

Equality Statement: This policy has been subject to a full equality & diversity impact assessment

CHANGE RECORD			
DATE	AUTHOR	NATURE OF CHANGE	VERSION No
03.01.08	Joanna Argyle, Senior HR Advisor	New Policy for NYYPCT	1.000
09.01.08	Joanna Argyle, senior HR Advisor	Following consultation with the JNCC. Additions: p. 5 Section 3.1 'along with <i>highlighting any suitable alternative employment positions</i> ' added. p. 5 Section 3.2 ' <i>its salary</i> ' added	2.000



Policy on Staff Redeployment

PREAMBLE

This Policy is made between NYYPCT and the recognised staff side organisations, using the mechanisms of the JNCC and LNC. It will remain in force until superseded by a replacement Policy, or until terminated by either management or staff side, giving no less than six months notice. The purpose of the notice to terminate the Policy is to provide the opportunity to for both parties to renegotiate a replacement Policy. Withdrawal by one party, giving no less than six months notice, will not of itself invalidate the agreement. If agreement cannot be reached on a revised policy, then the matter will be dealt with through the PCT's Grievance Procedure.

SCOPE

This policy applies to all employees of the PCT in all locations including temporary employees, locums and contracted staff.

EQUALITY STATEMENT

The PCT recognises the diversity of the local community and those in its employ. Our aim is therefore to provide a safe environment free from discrimination and a place where all individuals are treated fairly, with dignity and appropriately to their need. The PCT recognises that equality impacts on all aspects of its day to day operations and has produced an Equality Policy Statement to reflect this. All policies and procedures are assessed in accordance with the Equality Screening Toolkit, the results for which are monitored centrally.

1. INTRODUCTION

It is essential that the PCT is able to respond and adapt flexibly and quickly to change. Employment practices and procedures need to facilitate the flexible deployment and redeployment of staff, in the interests both of the staff themselves and the organisation.

The PCT recognises that changes in the nature and pattern of service delivery has a significant impact upon individual staff. It wishes to retain the skills, abilities and loyalties of its employees wherever possible. This procedure therefore aims to provide an equitable and consistent approach to redeployment issues which recognises the rights and responsibilities of employees as well as those of employers.

1.2 Partnership agreement

Both the PCT and staff side organisations recognise their common interest and joint purpose in furthering the aims and objectives of the Trust and in achieving reasonable solutions to all matters which concern them. Both parties declare their commitment to maintain good industrial relations and ensuring a partnership approach to managing redeployment issues.

1.3 Scope

This policy applies to those staff within the North Yorkshire and York PCT who may need to be redeployed because of factors which mean that they cannot continue in their present job. These factors will most normally be as follows:

a) Impending Redundancy (Please see redundancy section 1.6 in the PCT Organisational Change policy)

Where the job the employee currently holds is to become redundant (i.e. there is no longer a requirement for the work to be done or there is a reduction in the amount of such work).

b) Organisational Change

Where there is a significant change to the job, location or grade of the job resulting from a reorganisation of services or work practices.

c) Capability due to ill health

Where an employee is no longer able to carry out the duties of their current job for medical reasons. Where 'capability' is an issue of health then the Occupational Health Department must be consulted throughout the process.

(NB This policy does not apply to performance or misconduct situations which should be handled through the PCT's disciplinary or employee capability procedure, nor does it cover the ending of temporary or fixed term contracts)

2 Redeployment Obligations

Where a PCT employee is deemed to be subject to redeployment all reasonable steps will be taken both by the individual and by PCT managers to ensure that the employee is placed in suitable alternative employment within the PCT.

Staff seeking redeployment will:

- Give full consideration to suitable alternative employment within the PCT

- Consider reasonable changes in term, hours, pay, location / site and responsibilities on the understanding that appropriate protection arrangements would apply when appropriate (please refer to the PCT's policy on protection)
- Review the PCT's weekly vacancy bulletin and apply for suitable posts
- Prepare for interviews
- Not unreasonably turn down an offer of suitable redeployment as this may lead to an entitlement of redundancy compensation or pay protection being lost.

The PCT will:

- Maintain a confidential register of staff awaiting redeployment and actively match staff with vacancies.
- Ensure managers support the redeployment of staff by responding positively when considering applications from staff seeking redeployment.
- Send vacancy bulletins/lists to staff on the register.
- Guarantee an interview for an advertised vacancy where a member of staff on the redeployment register meets the essential requirements of the person specification.
- Give feedback when an application has been unsuccessful.
- Give protection of earnings, where applicable, in accordance with PCT policy.
- Offer counselling and advice in accordance with PCT policy.
- Co-ordinate assessment for retraining where applicable.

Preferential consideration will be given to such employees prior to the filling of any vacancies. The procedure set out in Section 3 describe how this will happen. There is a requirement for managers to accept a corporate responsibility for PCT staff and to make every effort to respond positively when considering applications from staff who are subject to redeployment. Equally there is a requirement on staff members to be flexible in considering alternative work if the policy is to operate effectively.

Consultation with the individual concerned and the appropriate staff organisations will take place at the earliest opportunity to discuss the reasons for the redeployment situation and the options that are available.

Wherever practicable the PCT will consider the possibility of providing retraining, reasonable adjustments in accordance with the requirements of the Disability Discrimination Act (DDA), or other forms of support to help employees to adjust to change and to prepare themselves more effectively for alternative jobs within the organisation.

3 PROCEDURE

The Human Resources Department will maintain an up-to-date confidential redeployment register.

3.1 Managers role

As soon as a manager identifies the likelihood of an individual becoming subject to redeployment the manager should consult their locality HR teams who will advise on the appropriate consultation arrangements with the individual and the appropriate staff organisation and will assist the manager and the individual in identifying realistic alternative work possibilities. The manager will complete the Subject To Redeployment form (STR) with their staff member, see Appendix A and B, which will then be forwarded to the HR Department at Northallerton for inclusion on the redeployment register. A HR representative and staff side colleague are available to provide support in the completion of this form

should this be requested. The manager of a person who is on the redeployment register will meet with him or her regularly (at least 4 weekly) to check progress and provide support and guidance as required along with highlighting any suitable alternative employment positions.

The Northallerton HR Department will ensure that a copy of relevant advertisements are sent to employees who are on the redeployment register at the same time as internal advertising occurs. The employee should also check the vacancy bulletin on a weekly basis to identify any suitable vacancies.

3.2 Employees role

Employees who are subject to redeployment are expected to apply for any post which constitutes "suitable alternative employment". Although there is no definition for what is 'reasonable or suitable' the factors that will be taken into account will include the responsibilities of the job, its status, its salary, hours of work, location and personal circumstances such as carer responsibilities (please see section 1.6 of the Organisational Policy for further details). Failure to apply could result in the loss of redundancy or protection entitlements where this is relevant.

The member of staff who is subject to redeployment will apply for vacancies using either a standard application form or through NHS jobs website. Alongside their application the individual will attach a letter confirming that she/he is on the redeployment register. Assistance with completion of the application will be provided (if required) by the manager HR representative and staff side organisation. The HR department will then advise the line manager of the employee's application. A selection interview is guaranteed whenever the individual meets the essential requirements of the person specification. If the employee is potentially suitable for the post the manager will temporarily freeze the recruitment process whilst the employee is interviewed to determine the mutual suitability of the employee against the person specification for the post. This interview will take place in advance of any open competition for the post. The interview panel will include a HR representative.

Staff side colleagues are available throughout the procedure to advise, assist and support staff through the redeployment process.

3.3 Appointing Manager

The manager should complete and return the form at appendix C. Unsuccessful candidates will have a right to request the reasons for non-selection. If the manager is unable to make an appointment they must be able to justify this decision and complete the form at appendix C before the recruitment process can continue. When assessing suitability the manager must make full allowance for short term training needs, reasonable adjustments in accordance with the requirements of the DDA and/or the use of trial periods.

The outcome of the interview will be recorded on the standard interview form (please see the PCTs recruitment policy).

If an offer of suitable alternative employment is unreasonably rejected by an employee and there is no other alternative employment, or any reasonable prospect of alternative employment in the near future, the employee may jeopardise their entitlement to redundancy compensation or pay protection.

Any individual employee aggrieved by a decision as to the suitability of alternative employment may appeal in accordance with the PCTs Grievance Procedure.

3.4 Consistency Panel

At times of major re-organisational change, where large staff numbers are affected, a consistency panel may be set up consisting of HR, Staff side and management representatives who would consider 'slotting in' and 'suitable alternative employment'. Further guidance would be provided when this is a requirement.

4 TIME PERIODS

Wherever possible, an individual will be subject to re-deployment for a minimum period of 3 months during which time every effort will be made to identify 'suitable alternative employment'.

This period may be extended at the discretion of the Manager and in situations of closure and major re-organisation.

5 TRIAL PERIODS

Please note: A four week trial period may not be extended unless the extension is agreed for the purpose of retraining.

A trial period is required if an offer of suitable alternative employment is made to an employee who would otherwise be made redundant. The trial period must be granted whenever the provisions of a renewed (or new) contract differs from the old contract as to capacity and place in which the employee is employed or other terms and conditions.

If, during the trial period, the employee reasonably decides to reject the post or management feel that they are unsuitable for the post, he/she will not forfeit his/her right to redundancy. The employee would need to set down their reasons in writing to the appropriate Director. The Director and Head of HR would respond to the individual within 10 days notifying them of their decision. If that new job was suitable for the employee and he/she acted unreasonably in leaving it, then they would forfeit their right to a redundancy payment.

If an employee who would otherwise be declared redundant wishes a trial period in a post that would not be regarded as suitable alternative employment, the employee would not forfeit his/her redundancy payment if he/she terminated the contract during the trial period for whatever reason.

6 PROTECTION COSTS

The costs of any earnings protection associated with the redeployment of an employee to another Section, Department, etc. through the Subject to Redeployment (STR) process, will be met by the Manager from whose area the employee is being transferred.

7 APPEALS

Appeals against breach of any part of this procedure should be made via the PCTs Grievance Procedure (Human Resources Policy)

firstname.surname@nyypct.nhs.uk
Direct Tel: xxxx xxxxxx

Address 1
Address 2
Address 3
Post Code

Reference

Address line 1
Address line 2
Address line 3
Address line 4
Address line 5

Tel: xxxx xxxxxx
Fax: xxxx xxxxxx
Website: www.nyypct.nhs.uk

[date e.g. 16 November 2006]

Dear [Mr/Mrs/Ms/Colleague XXXXX]

Re: Redeployment

Further to our recent discussion, please find enclosed a 'subject to redeployment' form. I would be very grateful if you could complete the enclosed form and return it to me as soon as possible. I will then forward it onto the Human Resources Department at XXXXXXXX.

The PCT policy on Staff Re-deployment is enclosed for your information. Should you have any queries in regard to the policy or would like assistance in completing the enclosed form please do not hesitate to contact me or your staff side representative.

Yours sincerely

Managers Name (in bold)
Job Title (in bold)

REMINDER: Please save your document with a clear title and a version number then press '**Print Preview**' to update the details in the red auto fields in the footer. This avoids confusion and helps records management. **DELETE THIS REMINDER TEXT FROM YOUR COMPLETED DOCUMENT**

Annex:

A. Subject To Re-Deployment Register Form

PRIVATE AND CONFIDENTIAL
At Risk / Redeployment Registration Form

Date of Meeting:					
Name of Employee:					
Name of H R representative:					
Other attendees:					
Reason for redeployment / risk of redundancy					
PART 1 – Current Post & Working Arrangements					
Post Title					
Base					
Type of contract		permanent / fixed term / acting up / secondment			
End date (if applicable)		Pay band		Salary	
Contracted Hours (per week)			Flexi-time?	Yes / No	
Working Pattern (days, start / finish times)					
Are you currently in receipt of Pay protection or Excess Travel payments? (If Yes please provide details)		Yes / No	Details		
Brief description of current duties					
Part 2 – Other / Previous Position held (please complete this section if the post detailed above is an acting up/ fixed term/ secondment position and you have an alternative position within NYY)					
Post Title					
Base					
Type of contract		permanent / fixed term / acting up / secondment			
End date (if applicable)		Pay band		Salary	
Contracted Hours (per week)			Flexi-time?	Yes / No	
Working Pattern (days, start / finish times)					
Are you currently in receipt of Pay protection or Excess Travel payments? (If Yes please provide details)		Yes / No	Details		
PART 3 – Personal Details					
Home address					
e-mail registration on nhs jobs					
Date of birth		Telephone number			
Start date with NYY		Start date with NHS			
Continuous Service Date (a break of 12 months or more is not continuous)					
Professional Body Registration Numbers and renewal dates					
Do you have any criminal convictions? (if yes please provide details)		Yes / No			

Qualifications Held			
Preference (in priority Order) of suitable alternative work:			
1.			
2.			
3.			
4.			
PART 4 – Transport			
On a normal day how long does it take you to travel to work?			
How do you currently travel to work?			
Do you have a full driving licence?			
Please indicate if any of the following will impact on your ability to change site / undertake a new role or working pattern			
Currently use public transport or plan to and it will take much longer			
Need to use car to drop off/collect children			
Need to go home during breaks to care for spouse/partner/parent/child			
Move will increase cost of travel to work			
Provide further detail where necessary:			
PART 5 – Personal Circumstances			
Please indicate if any of the following will impact on your ability to transfer site / undertake new role or working pattern:			
• Child at childcare provider elsewhere and not convenient to new site			
• School drop off/pick up			
• Incur additional childcare costs			
• Caring for dependants			
• Another job			
• Study commitments			
• Other			
Please detail any other issues not covered above:			
PART 6 – Dependents (only for members of staff who have issues around dependents)			
Do you have dependants for whom you have caring responsibilities?	Childcare	Yes	No
	Eldercare	Yes	No
	Other	Yes	No
Please give details and reasons for any of the above or any other reasons:			

APPENDIX C

INTERVIEW OF 'SUBJECT TO RE-DEPLOYMENT' EMPLOYEE

(To be completed by the Interviewing Manager and returned to the Human Resources Department)

SECTION 1

POST **GRADE**

HOURS **SALARY**

DEPT / WARD

NAME OF CANDIDATE

PANEL

.....

.....

INTERVIEW DATE

SECTION 2

I confirm that I have appointed

to the above post. This appointment will commence on

There will / will not* be a four week trial period

***Please delete as appropriate.**

(See 'Trial Periods' Subject to Re-Deployment Policy)

Signed **Date**
(Manager)

