

# Redeployment Policy

## Policy information

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**Classification:**

Employment

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Previous Versions

**Local Safety Standard for Invasive Procedures (LOCSSIP) reference:**

N/A

**National Safety Standards for Invasive Procedures (NatSSIPs) standards:**

N/A

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Completed

## Approval information

**Approved by: People, Organisational Development and Culture Committee (PODCC)**

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**Summary of document:**

Redeployment is the process by which suitable alternative employment is sought for employees who are unfit or no longer able to carry out the duties of their current post for reasons other than Organisational change.

**Scope:**

Policy applies to all Health Board Staff.

**To be read in conjunction with:**

[995 - All Wales Respect and Resolution Policy](#) (opens in new tab)

[204 - All Wales Secondment Policy](#) (opens in new tab)

[768 - All Wales Managing Attendance at Work Policy](#) (opens in new tab)

[121 - Relocation Expenses Policy](#) (opens in new tab)

[203 - All Wales Capability Policy and Procedure](#) (opens in new tab)

[573 - All Wales Organisational Change Policy](#) (opens in new tab)

[1197 - All Wales Flexible Working Policy](#) (opens in new tab)

[315 - Flexible Development of Staff Procedure](#) (opens in new tab)

[948 - Disclosure & Barring and Referral \(DBS\) Policy](#) (opens in new tab)

**Patient information:**

Include links to [Patient Information Library](#)

**Owning group:**

People, Organisational Development and Culture Committee (PODCC)

20/10/2022

**Executive Director job title:**

Lisa Gostling – Director of Workforce and Organisational Development

**Reviews and updates:**

1.0 – New Policy – 30.10.2011

2.0 – No Changes – therefore extended for 3 years – 05.02.2015

3.0 – Revised – 15.03.2021

4.0 – Revised – 20.10.2022

**Keywords**

Redeployment

**Glossary of terms**

OD – Organisational Development

OCP - Organisational Change Policy

DBS – Disclosure and Barring Check

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## Introduction

This policy outlines the process to be followed when an employee needs to be redeployed for reasons other than organisational change. The [All Wales Organisational Change Policy \(OCP\)](#) (opens in new tab) sets out the process to be followed for staff who need to be redeployed due to organisational change.

## Policy statement

It is recognised across NHS Wales that the process of securing alternative employment for displaced staff requires a consistent and committed approach from all parties. Hywel Dda University Health Board is committed to following best practice in this.

This policy incorporates principles for redeployment of employees in cases of capability due to ill health and capability due to poor performance in accordance with best practice. On occasion redeployment may also be the outcome from a [995 - All Wales Respect and Resolution Policy](#) (opens in new tab) issue.

## Scope

This Policy applies to all employees of the Health Board.

## Aim

The aim of this document is to:

- Secure alternative employment for displaced employees within the Health Board.

## Objectives

The aim of this document will be achieved by the following objectives:

- Ensure staff are aware of redeployment opportunities and the process followed to match appropriate vacancies with eligible staff.

## Circumstances which may lead to Redeployment

### Health Reasons

Where it is recommended by the Occupational Health Department that an employee can no longer carry out the duties of their post due to health reasons, redeployment on ill health grounds will be considered. Occupational Health will provide guidance in respect of any post which becomes available. Where appropriate an assessment should be undertaken to determine if reasonable adjustments can be made to either the work environment or any specific duties of the post. Where this can be achieved, it may not be necessary to seek redeployment to an alternative post. The above options must be considered prior to considering ill health retirement.

### Temporary Redeployment

There may be occasions when Occupational Health, a General Practitioner or Consultant suggests redeployment for a limited time (e.g. an employee may be unable to perform their substantive duties while waiting for /recuperating from surgery or after a period of long term sickness). In these cases the temporary redeployment process should be managed in line with the [768 - All Wales Managing Attendance at Work Policy](#) (opens in new tab) and employees will not be placed on the redeployment register.

The Flexible Deployment of staff procedure can be found [here](#) (opens in new tab).

### **Capability - Performance**

The outcome of a capability process could also result in a member of staff being temporarily or permanently redeployed.

### **Respect and Resolution**

Where a complaint is about another person, such as a colleague, patient or visitor, we will consider what action may be appropriate to protect employees involved pending the outcome of the investigation, bearing in mind the reasonable needs of the organisation and the rights of that person. Where appropriate, we will attempt to discuss the matter with the third party. We will also seriously consider any request that an employee makes for changes to their working arrangements during the investigation. For example, a change to duties or working hours so as to avoid or minimise contact between the parties involved. The [995 - All Wales Respect and Resolution Policy](#) (opens in new tab) should be followed.

### **Agreement**

Whatever the reason the employee is being considered for redeployment, an agreement form must be signed by both the employee and the designated Workforce Representative.

The Employee agreement proforma can be found [here](#) (opens in new tab).

## **Procedure**

### **Staff Consultation**

The Health Board is committed to partnership working and will work in partnership with the employee and their representative at all stages of the redeployment procedure. Employees are entitled to be accompanied by a trade union representative or a work colleague, not acting in a legal capacity, at any stage in the process, apart from informal or competitive interviews.

### **Entry onto the Redeployment Register**

Employees whose employment in their current post is no longer tenable due to health related issues will only be placed on the Register on the advice of Occupational Health. Where it is known following Occupational Health advice that an employee will not be able to return to work in any capacity in the foreseeable future, they will have no entitlement to be considered for redeployment.

Employees who are required to be on the redeployment register must complete the form below:

[Registration onto redeployment register](#) (opens in new tab).

### **Timescales**

Opportunities will be sought for 12 weeks, excluding any trial periods. This 12 week period will include the employees contractual notice period. Where the redeployee is not entitled to 12 weeks' notice, it will be made clear to them on what date during the 12 week search period their contractual/statutory notice period will start. This will be confirmed by the line manager in writing.

Should the search for alternative employment prove unsuccessful, the employment will be terminated on the grounds of incapacity due to ill-health, performance or redundancy at the end of the 12 week

period with notice having been served appropriately during that time in line with the employees contractual notice provisions.

### **Identification of Suitable Employment**

Each week a link to all Hywel Dda vacancies will be e-mailed to all employees on the redeployment register. It is the employees responsibility to review the list and contact the designated HR Advisor if they are interested in any vacancy on the list.

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. If the post is at a lower band, affected employees will continue to receive prior consideration for available posts up to the level of their original banding while they are on the redeployment register.

Employees are expected to be flexible when considering whether a post is suitable. Reasonable attempts to accommodate an employee's preference will be made. However, as no guarantees can be given, employees should not unreasonably refuse a post that is within a reasonable travel distance to their preferred location or at a lower pay band.

Should an employee unreasonably fail to pursue a post which is deemed to be suitable alternative employment, the Workforce Representative will discuss the implications of their decision with them and their reasons for declining the opportunity will be noted. The employee will be made aware that their employment may be terminated and any compensatory payment (if applicable), will be withheld as the employee will be deemed to have refused suitable alternative employment.

### **Informal Interview**

Employees on the redeployment register will be afforded prior consideration for suitable live vacancies (that they meet the essential criteria for), that arise within the Health Board as part of the recruitment process. Prior consideration means that employees will be entitled to an interview with the appointing manager for the position before any other candidate is considered for the vacancy.

Once an employee has expressed an interest in a vacancy the employee will contact the Workforce Representative who will advise the Resourcing Team. This will then place the vacancy on hold until an informal interview has taken place with the Appointing Manager.

The redeployment process does not preclude the employee from applying for any posts (including at a higher band) via the normal recruitment process at any stage and in such instances the normal recruitment and selection process would apply.

Where only one individual is involved, the decision to offer a trial period will be based on whether the individual can reasonably be expected to undertake the duties of the post to the required standard. The benefits and practicality of providing further training to bring an individual up to the required standard should be a normal consideration before any decision is made. Where more than one eligible employee wishes to be considered for a vacancy, a competitive interview process will be arranged.

Appointing managers who choose not to offer a trial period must provide substantiated and reasonable evidence for their decision.

Where appropriate, redeployment to a fixed term or temporary post will be considered in the interest of both the service and the individual. Individuals can continue to be on the redeployment register until a permanent appointment becomes available.

The Workforce Representative will advise the Resourcing Team of the outcome of the meeting and document it appropriately (i.e. changes form, letter, contract etc).

### **Employment and Disclosure and Barring Check**

Should the role require a disclosure and barring (DBS) check, the appointing manager will need to discuss this with the Workforce Representative supporting the redeployment process to make arrangements for the employee to complete the DBS check.

New DBS checks should be carried out when there is a change in the job role that requires either a different level of DBS, a new DBS or where the employee has not had one in their previous role. Refer to [948 - Disclosure & Barring and Referral \(DBS\) Policy](#) (opens in new tab).

### **Trial Period**

During the trial period, regular informal reviews will be held with the employee and the appointing manager. The purpose of the reviews will be to monitor progress, identify any issues to be addressed and allow both parties to comment on the suitability of the redeployment. The manager should keep a record of the meetings.

At the end of the trial period a formal evaluation meeting will be held to review the trial and decide if the employee will be redeployed permanently into that post. If it is agreed the trial is successful, the substantive and receiving manager must complete the relevant documentation. If an employee proves to be competent in the role at an early stage, confirmation of the appointment can be granted at any point during the 4 weeks.

Here is a link to the form to record the trial period. [Record of Trial Period](#) (opens in new tab).

If it is evident from the outset that the role is not suitable then, with agreement, the trial period may cease early. If the trial period is not successful, the appointing Manager must liaise with the Workforce Advisor explaining why the employee is unsuitable for the role and provide written documentation/evidence of this. Equally, it is recognised that the employee may have legitimate reasons for deeming the post to be unsuitable and they will also be required to provide written documentation/evidence of this.

The Workforce Representative will be responsible for checking:

- The post or elements of the post are clearly different in nature to that previously held by the employee in the organisation.
- Agreed training has taken place.
- Any other factors considered relevant by the manager, employee or Trade Union

Where the trial period has not been successful, the original manager, employee and Workforce Representative will then be responsible for pursuing further redeployment if appropriate.

## **Funding Arrangements**

During the trial period the employee will be paid by the department in which the trial period is being undertaken who will also fund any additional training required.

[Click here for Change of Circumstances Form](#) ( opens in new tab)

## **Appeals**

Any employee who feels they have been treated unfairly during the redeployment process, or can demonstrate that the procedure has not been properly followed, can raise their concerns as part of their appeal against termination in line with the [995 - All Wales Respect and Resolution Policy](#) (opens in new tab).

## **Responsibilities**

### **Chief Executive**

The Chief Executive holds overall responsibility for the effective management of organisational policies.

### **Director of Workforce and OD**

The Director of Workforce and OD has responsibility for ensuring that all employment policies are developed in line with employment legislation and practice and are reviewed and updated as appropriate.

### **Managers**

It is the responsibility of the manager in liaison with the Workforce and Organisational Development Department to identify suitable alternative employment opportunities and provide advice to employees in respect of this policy.

### **Occupational Health Department**

It is the responsibility of the Occupational Health Department to provide advice on:-

- Possible reasonable adjustments in respect of the current position
- Redeployment in situations when the employee is unable to remain in their current position due to a health related problem.

### **Workforce and Organisational Development Department**

The Workforce Representative will ensure full details of eligible staff are collected and placed on the redeployment register and provide support and guidance to managers and affected employees.

### **Resourcing Team**

The Resourcing team will on a weekly basis circulate vacancies to all individuals on the redeployment register and County Workforce Representatives so that individuals can view vacancies to identify possible suitable posts.

### **Employee**

All employees who are placed on the redeployment register have a responsibility to review all vacancies weekly, should they identify a post which may be suitable they must contact their Workforce Representative to obtain further information.

### **Staff Representative**

Staff representatives have a role in supporting and advising employees regarding the redeployment process and working with the employee and managers to help achieve a successful outcome.

## Where can I get Further Advice?

In the first instance speak to your line manager, alternatively you may contact:

### Operational Workforce Team:

Carmarthenshire: 0300 303 6138      Pembrokeshire: 01437 773138

Ceredigion: 01970 635782      Or email: [WorkforceEnquiries.HDD@wales.nhs.uk](mailto:WorkforceEnquiries.HDD@wales.nhs.uk)

Redeployment Process Flowchart

