# Redeployment Policy

**Policy statement**

The Office of the Police and Crime Commissioner (OPCC) seeks to support security of employment wherever possible through the redeployment of employees into alternative posts. This policy defines the steps the OPCC will take to ensure redeployment is managed consistently and sensitively.

**Scope**

All employees of the OPCC.

**Policy outcomes**

The aims of this policy are to:

- achieve job security as far as reasonably possible
- retain the skills, knowledge and experience of employees
- respond to the needs of the organisation
- define the steps for managing redeployment

**Check which policy to use**

Concerns regarding an employee’s ability to carry out their role due to ill health and / or a disability should initially be managed using the Managing Sickness Absence Policy or the Managing Performance Policy, supported by the Reasonable Adjustments Policy.

Where the employee's role is no longer needed due to a change in organisational requirements, this should initially be managed using the Managing Workforce Change Policy.

Where a fixed-term contract is coming to an end this should initially be managed using the Ending a Fixed-Term or Temporary Contract Policy.
Equality and Dignity at Work

OPCC is committed to a workplace where all employees are treated with dignity. Discrimination based on age, disability, gender identity, marriage and civil partnership, pregnancy and maternity, race, relation or belief, sex and sexual orientation is not acceptable. Equally, bullying and harassment related to any of these characteristics is not acceptable. OPCC will take robust action against any unacceptable behaviour.

The Maternity and Parental Leave Regulations 1999 and the Paternity and Adoption Leave Regulations 2002 contain special provisions meaning employees who are covered by these Regulations should, when given notice of termination on the grounds of redundancy, be offered suitable alternative employment where it is available, ahead of other candidates or redeployees who are not absent on maternity, adoption or shared parental leave. The new role must:

- start immediately once the original contract has come to an end
- be a suitable and appropriate alternative
- have comparable terms and conditions

Reserve Forces (Safeguard of Employment) Act 1985 - Reservists whose substantive post has been made redundant whilst they have been mobilised are entitled to redeployment status and priority consideration for any other vacant post that is potentially suitable. The OPCC is required to continue to consider Reservists for suitable posts for 6 months following the end of their mobilisation and post operative tour leave. The terms and conditions of those posts must be no less favourable than those previously enjoyed by the reservist in their substantive post.

Principles

Redeployment is based on the following principles:

- the OPCC is not obliged to create a post to achieve redeployment
- opportunities for redeployment are dependent upon the availability of suitable OPCC vacancies
- redeployment cannot be imposed on an unwilling employee however the employee must be fully aware of the possible following consequences:
  - dismissal
  - forfeiting redundancy pay
- the redeployment period lasts for a specified duration
- redeployment can be at the same or lower grade (refer to
section on pay protection)

- where an employee has already been redeployed, any subsequent redeployment while in receipt of pay protection from the first redeployment, is implemented at their original grade and one grade below
- where a redeployee wants to apply for a higher graded role, redeployee status does not apply, although the employee may apply under the normal recruitment process
- a redeployee who meets the minimum criteria for a role, or could do so following short and reasonable training and development, is given priority for interview and will normally be appointed
- a redeployee should immediately take up an alternative post once agreed with the substantive and recruiting manager
- there is no guarantee of finding an alternative post for a redeployee - in this instance dismissal will occur
- where more than one redeployee applies for a role and meets the minimum criteria, consideration will be given to ensure redeployees on family friendly leave or with a disability are not disadvantaged

**Policy stages**

There are four possible stages:
- starting redeployment
- creating and updating your candidate profile
- recruitment process
- outcome of redeployment

**Starting redeployment**

**Eligibility for redeployment**

Redeployment can only occur as an outcome of the following policies:
- Redundancy Policy
- Ending a Fixed Term or Temporary Contract Policy – redundancy and some other substantial reason (SOSR)
- Managing Sickness Absence Policy due to medical incapability and compliance with disability provisions of the Equality Act 2010
- Managing Workforce Change Policy

It is not usual practice for an employee to be given redeployee status as a result of the application of the Managing Misconduct, Managing Performance, Reasonable Adjustments or Resolving Workplace Issues Policies.
Hold a meeting with the employee

The manager must notify the employee of the start of the redeployment period and discuss the principles of redeployment. This takes place at a formal meeting which is arranged according to the policy which gave rise to redeployment. Where the employee has a right to representation at this meeting, this is also identified in the policy which gave rise to the redeployment. Formal notice of dismissal is usually given at the same time as redeployment status is confirmed.

The manager must confirm the application of the Redeployment Policy in writing.

Duration of redeployment and contractual notice

The redeployment period is for a maximum period of three months. Contractual notice runs alongside the redeployment period and both normally end on the same date.

However where an employee has **less than two years** OPCC continuous service, the redeployment period mirrors their contractual notice period and both start and end on the same day.

Where an application is pending at the end of a redeployment/notice period the redeployee may continue with their application as an external candidate. They are no longer considered as a redeployee for these roles.

Redeployment Action plan

The manager and redeployee are responsible for producing an action plan which is designed to offer support during redeployment through the identification of key tasks and dates.

The manager and redeployee must also consider whether training and development opportunities might support the redeployee to secure redeployment.

Creating/updating your candidate profile

The redeployee must complete a candidate profile within ESS with basic information about themselves within **4 calendar days** of the meeting confirming redeployment status. Where an employee fails to do so it is assumed they do not wish to engage in redeployment and they therefore forfeit any redundancy payment if they are in a redundancy situation.
Recruitment process

Selection
The selection process used to identify whether a redeployee meets the criteria of the role is dependent upon the role and the number of redeployees. The process can include attendance at a competitive interview.

Redeployee responsibilities
Redeployees must take an active and positive role in their own redeployment and are expected to regularly search published vacancies on the job web pages and apply for jobs.

When a suitable role is advertised but the redeployee does not submit an application they must provide in written feedback on why they deem a particular role not to be suitable alternative employment. Where a redeployee does not apply for a role which the manager deems to be suitable alternative employment, the redeployee forfeits any redundancy payment.

Feedback
Where a redeployee is unsuccessful in securing a vacant role, the recruiting manager is required to provide written feedback which evidences and justifies their decision. The feedback also supports the redeployee in making any future applications.

Outcomes of redeployment
The possible outcomes are:
- redeployment into an alternative role
- redeployment does not take place and the redeployee is dismissed as per the originating policy because:
  - there were no (suitable) alternative vacancies during the redeployment period
  - the employee rejects an offer of (suitable) alternative employment
  - the trial period is unsuccessful

Offers of employment
Redeployees are encouraged to consider all offers made to them as a means of preserving their employment.

Offers can be:
- **suitable** alternative employment – where it is comparable to a redeployee’s previous role in terms of:
  - the nature of the work
  - the qualifications, skills and experience required
- their aptitude or capability to undertake the work
- work arrangements i.e. hours of work, location etc.
- level of responsibility
- grade and pay (see pay protection)
- alternative employment – where the role may not be comparable but it is still a means of preserving employment

Offers of employment are made verbally by the recruiting manager initially and followed up in writing by Recruitment.

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<tr>
<th>Rejection of an offer of suitable alternative employment</th>
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<td>Where a redeployee rejects either a verbal or written offer of suitable alternative employment, they must confirm this in writing within <strong>3 calendar days</strong> of the offer.</td>
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<td>The manager must decide whether the refusal is reasonable or unreasonable, taking account of the suitability of the role and the redeployee’s individual circumstances.</td>
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<tr>
<td>Where a redeployee is in a redundancy situation and is deemed to have unreasonably refused an offer of suitable alternative employment, they forfeit their entitlement to redundancy pay.</td>
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<tr>
<th>Offer of a fixed term or temporary contract</th>
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<td>A redeployee may be offered a fixed term or temporary contract.</td>
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<tr>
<td>Where that fixed term or temporary contract subsequently comes to an end on the grounds of redundancy, the redundancy payment is calculated on completed years of service and the new employing department is responsible for the redundancy costs.</td>
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<th>Pay and pension protection</th>
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<tr>
<td>Pay protection is available to a redeployee who is redeployed due to redundancy or medical incapability and experiences a loss of pay when they are redeployed.</td>
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<tr>
<td>Further information can be found in the Salary policy.</td>
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<td>Further information regarding pension protection can be found on Hampshire Pension Services website.</td>
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<th>Pre-employment checks</th>
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<td>An offer of a new post is subject to the completion or evidence of appropriate pre-employment checks that are appropriate to the role according to the Recruitment policy.</td>
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<th>Induction to a new post</th>
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<td>The recruiting manager is responsible for ensuring a redeployee receives a meaningful induction into the new post. The</td>
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redeployee must fully engage in this process to support them in their new role.

**Trial periods**

All redeployees who successfully secure a new post through redeployment are entitled to a trial period of four weeks. The purpose of the trial period is to give both the redeployee and the recruiting manager the opportunity to confirm whether the redeployee is suited to the new role once they have started in post.

Before the trial period starts, its duration and any scope for extension must be clearly stated to the redeployee and confirmed in writing. The recruiting manager must discuss with the redeployee how the suitability of the role will be assessed during the trial period and against what criteria this will be measured.

During the trial period, the redeployee remains on their current terms and conditions of employment. The new employing department is responsible for the salary costs.

During a trial period, the employee cannot use their redeployee status to make any further job applications.

In circumstances where the end date of the trial period is later than the end date of the existing notice period, as issued by the substantive manager, the notice period will be extended so that both end on the same date.

Where a trial period is successful the redeployee:

- transfers onto the terms and condition of the new role with effect from the first working day after the trial period ends
- starts to receive pay protection where applicable
- is no longer be eligible to receive a redundancy payment

A redeployee is deemed to have accepted a new post where they work beyond the end date of the trial period.

Where there are concerns relating to the employee’s suitability due to their performance during the trial period this must be discussed with HR Operations.

Where the recruiting manager considers the trial period to be unsuccessful, this must relate to the suitability of the post and they must liaise with the substantive manager. The decision will be confirmed by the recruiting manager to the employee in
The dismissal takes effect once the end of the notice period is reached. In circumstances of redundancy, a redundancy payment is payable to an eligible redeployee.

Where the redeployee considers the trial period to be unsuccessful, this must also relate to the suitability of the post. The redeployee is required to provide a written explanation to the recruiting manager stating why the post is unsuitable. Both managers must review the redeployee’s grounds and reach a conclusion as to whether they are in agreement.

Where a redeployee unreasonably terminates a trial period or resigns during a trial period, they forfeit their right to a redundancy payment.

**Redeployment period ends while application is pending**

Where an application is pending at the end of a redeployment period the redeployee may continue with their application as an external candidate. They are no longer considered as a redeployee for these roles.

**Key definitions**

**Redeployment** - eligible employees are offered suitable alternative employment within the OPCC where available in order to preserve their employment. During redeployment the employee is known as a **redeployee** and is afforded **redeployment status**. Eligible employees are also offered redeployee status when applying for vacancies with Hampshire Constabulary. See **appendix 1**.

A person has a **disability** for the purposes of the Equality Act 2010 if they have a physical or mental impairment which has a substantial and long-term adverse effect on their ability to carry out normal day-to-day activities.

**Salary protection** - is provided to offer some protection to the basic salary for employees whose pay would otherwise reduce following redeployment to a lower grade within the OPCC.

**OPCC continuous service** - earliest date when an employee began continuous service (no breaks) with the OPCC.

**Calendar days** - where reference is made to calendar days, these are defined as Monday to Sunday, including Bank Holidays or Public Holidays. This is consistently applied irrespective of an employee's work pattern.
Related documents
To help with the application of this policy it may be useful to read the following:
- Redundancy policy
- Recruitment policy
- Salary policy
- Reasonable adjustments policy
- Notice period policy
- Local government jobs in Hampshire
- Hampshire Pension Services website

Support

Employees:
Queries should be directed to your line manager.

A confidential counselling service is provided by the Wellbeing helpline who can be contacted on 023 8062 6606 or by emailing counselling@hants.gov.uk

Your trade union or professional association may be able to provide you with additional support.

Managers:
Further information is available in the Managers’ How To Guide Redeployment Policy.

Advice on remaining queries can be directed to HR Operations.

Policy Governance

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<th>Hantsfile reference:</th>
<th>16277945</th>
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<tr>
<td>Date of publication:</td>
<td>V2 April 2018</td>
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<td>Owner:</td>
<td>HR Operations</td>
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Employees of non Office of the Police and Crime Commissioner bodies are excluded from this policy and should refer to their own employer’s policies and procedures.
Appendix 1

Arrangements for redeployment to Hampshire Constabulary

An agreement exists between the OPCC and Hampshire Constabulary whereby OPCC employees who acquire redeployment status will be able to use that redeployment status when applying for vacant Hampshire Constabulary roles. The principles of this agreement are defined below.

If an OPCC employee is confirmed to have redeployment status, they will have the relevant redeployment status for any vacant roles within the OPCC.

In addition, the redeployee will have an opportunity to be considered for vacant roles within Hampshire Constabulary, based on the following order of priority:

1. a Hampshire Constabulary redeployee will be given first priority
2. an OPCC redeployee will be given second priority
3. other internal applicants (OPCC & HC) will be given third priority

A successful redeployment from the OPCC to Hampshire Constabulary will not be classed as redeployment for the purposes of salary protection and therefore any reduction in grade and/or salary will not be protected.

In such cases a trial period will not apply.

An employee who is appointed to a role in Hampshire Constabulary will need to resign from their current OPCC role and begin a new contract with Hampshire Constabulary.

Continuity of service will be retained for the purposes of annual leave and sickness.