

Redeployment Policy

August 2021

Document governance and management

Document owner/author/lead	Interim Director of Finance and Resources
Version number	V4
Current version referred for approval to	
Date of next review	June 2024
Date of equality impact assessment (mandatory)	August 2021
Date of privacy impact assessment (if required)	N/A
Date of environmental impact assessment (if required)	N/A

Change log – for minor changes to spellings, sentences etc. Use when policy is not being put forward for approval.

Officer name	Date of change	Description of change	Confirm upload of revised document
N/A – full consultation log prepared – see separate document.			

Contents

1. Introduction	4
2. Principles	6
3. Roles and responsibilities	7
3.1 Council and committee.....	7
3.2 Executive Management Team	7
3.3 Operational Management Team	8
3.4 Line managers	8
3.5 Employees	8
3.6 Human Resources	9
4. Policy	9
4.1 What is redeployment	9
4.2 Job matching.....	9
5. Procedure	10
5.1 Redeployment due to workforce change.....	10
5.2 Redeployment due to ill health/disability	11
5.3 Redeployment due to capability	12
5.4 Trial period	13
6. Further information	13
6.1 Learning and development.....	13
6.2 Sources of support	13
6.3 Related documents.....	14

1. Introduction

This policy explains how we will aim to find suitable alternative employment for employees who are:

- displaced due to required workforce change, which means:
 - the role is no longer needed
 - the role responsibilities have reduced
 - the role responsibilities have moved to another role
- unable to carry out their role due to ill health and/or disability
- unable to carry out their role due to an inability to perform (capability) to the required standards.

These situations are specific and in line with the Scottish Government's policy of no compulsory redundancies and in accordance with our legal obligations.

The size and nature of the SSSC (limited vacancies, low turnover and specialised posts) means that we may not always be able to find a permanent alternative position. We can redeploy an employee into a suitable temporary post if we do not have suitable permanent roles available. We do not have any legal requirement to create a new permanent role and for each individual case we will take into account:

- Whether the employee has the right skills and experience for the alternative role and whether the employee can develop those with reasonable support and training, within a reasonable period of time.
- Place of work, job duties, pay, hours, level of responsibility and any other relevant contractual terms.
- Other roles and opportunities which may be appropriate internally and externally that the employee could undertake on a secondment/temporary basis.

We will try and redeploy employees into suitable alternative roles of the same grade and terms and conditions. If this is not possible then we will apply other policies to support the process eg Salary Protection or Relocation. Salary Protection is defined at 5.1.

Scope

This policy applies to all permanent Scottish Social Services Council employees. This policy does not apply to workers, social work students or people working in social work, social care and early years.

This policy applies to all affected employees when we identify that they will be displaced or that they are no longer able to carry out their role. The process by which employees access redeployment will vary, and individual employee entitlements will be different, depending on why they are looking for redeployment. The following procedures should be read alongside the Workforce Change Policy and any other relevant policies that apply. Human Resources must be contacted for advice at the start of any redeployment process to make sure the correct process is followed, and support is provided.

Definitions

Redeployment - a process through which we consider eligible employees for suitable alternative employment with us to preserve their employment.

Redundancy – at this time we are committed to the Scottish Government’s no compulsory redundancies policy. We may however consider voluntary redundancy/voluntary early retirement if we are:

- downsizing – where the organisation wishes to reduce part of its workplace by a certain amount
- restructuring or reorganisation – where we are deleting specific posts from the establishment.

Suitable alternative employment - this is a legal definition which means as an employer we need to consider:

- whether the employee has the right skills and experience for the new role or could do the role with some specific retraining
- the terms of the alternative job including status, place of work, job duties, pay, hours and responsibility (ie how similar are these to the old role)
- any exceptional circumstances in which we would offer an employee a temporary post (if for 12 months or more) because we would dismiss the employee at the end of the temporary contract if they were unable to secure a permanent post before then. In these circumstances the employee would retain their full employment rights
- the employee’s personal situation for example, the impact the change would have on their family responsibilities (for example, childcare, caring responsibilities or the employee’s own health)
- a trial period for the employee – we will support them in their transition through the induction process and through an appropriate learning and development plan
- any disabilities and/or adjustments required to help an employee to express an interest or fulfil a different job
- other options such as early retirement or voluntary redundancy if there is no suitable alternative employment.

Legislation

This policy has also considered the following legislation:

- Employment Rights Act 1996
- Equality Act 2010.

Data protection

We will process any personal data collected in relation to this policy in accordance with our [data protection policy](#). We will record only the personal information required and keep the information only for as long as necessary.

Monitoring and review

Human Resources and the Partnership Forum are responsible for monitoring and implementing this policy to make sure that we are applying it fairly and consistently and that the stated principles and values are being met. We will review this policy every three years (or earlier should legislation change) and

make amendments as appropriate in consultation with the Partnership Forum. We will outline minor amendments in the change log and update the version control. Major changes will follow the consultation cycle – Equality Impact Assessment, Operational Management Team, Partnership Forum, Executive Management Team and Council.

2. Principles

Policy specific

- We support the Scottish Government's no compulsory redundancy policy.
- We will give priority within the recruitment process to employees on the redeployment register ie we will consider redeployment before any vacancy is advertised internally or externally.
- We will make sure there is fair treatment with no unlawful discrimination.
- We will try to safeguard the employment of all employees during workforce change, wherever possible.
- We will consider all other appropriate measures before we start to consider workforce change.
- We will always try to manage change in a consultative way with both employees and the Partnership Forum in accordance with the Partnership Forum agreement.
- We will keep employees informed throughout the process through effective communication.
- We will support employees to adjust and adapt to alternative roles eg through appropriate learning and development opportunities.
- We will equip our managers to make sure they have the right leadership skills to manage redeployment effectively.

SSSC Values

Recognition and Respect for others

- We will always try to manage change in a consensual way.
- We will involve employees, engage with them, and keep them informed throughout the process.
- At every stage of the process we will not discriminate on the grounds of protected characteristics as listed in the Equality Act 2010.
- We will treat all employees fairly and consistently under this process and if any employee requires specific support and assistance due to having a protected characteristic under the Equality Act 2010, we will accommodate them appropriately.

Working together

- We recognise the value of positive and constructive involvement and participation from the recognised trade union. The commitment to partnership working is confirmed in the Partnership Agreement and is integral to the development and maintenance of harmonious employee relations.
- Workforce change will involve engagement with the recognised trade union with a view to seeking agreement.
- Employees have the right to be accompanied at formal stages of the policy by a work colleague or a recognised trade union representative. We will allow support at the informal stages where appropriate.

Accept responsibility and accountability

- We may extend the timescales detailed in this policy with the agreement of the parties and likely timescales discussed.
- We will deal with issues kindly, sensitively and show compassion.
- We will respect confidentiality and only share information, as appropriate, with relevant postholders

3. Roles and responsibilities

3.1 Council and committee

People management policies which include any of the following are reserved for the Council:

- associated additional costs that are not contained within the current budget
- any proposed fundamental change to terms and conditions of employment
- where the Council has a clearly defined role to play.

Council is responsible for

- approving this policy and procedure
- making sure the structure of the organisation is fit for purpose to deliver objectives
- making sure that the application of this policy does not breach any statutory requirement placed upon the SSSC
- making sure that the Chief Executive and EMT have in place appropriate and up to date policies and procedures for the effective management of staff
- making sure those policies and procedures are applied fairly and in accordance with the law.

3.2 Executive Management Team

The EMT is responsible for:

- overall responsibility for the implementation of the policy and creating a culture in which employees can flourish through interesting and rewarding work
- having early discussions with the Partnership Forum of emerging issues and potential changes
- aligning change with organisational strategy and providing leadership to make change happen
- allowing employees and their representatives the opportunity to influence changes affecting their working lives where appropriate
- delegating responsibilities related to the policy to Operational Management Team (OMT) and line managers
- making sure that managers and staff receive appropriate development, support and training to implement the policy appropriately
- communicating openly and honestly with employees and their representatives, listening and responding to their views. Our senior managers will work with our colleagues in the Communications team to develop a clear and detailed communication plan
- monitoring and evaluating change after implementation
- making sure that the application of this policy and procedure does not breach any statutory requirement placed upon us

- making sure that changes to people management policies not retained for the specific approval of the Council are reported to the Council on a quarterly basis for endorsement.

3.3 Operational Management Team

The OMT is responsible for:

- carrying out workforce planning and subsequent redeployments to meet future service need
- making sure managers and employees are aware of the processes to be followed within this policy and procedure
- making sure that employees are treated consistently and fairly, being mindful of the needs of the organisation as well as that of the individual.

3.4 Line managers

Line managers are responsible for:

- providing support to their employees as necessary by providing information directly or signposting employees to other areas of support
- identifying, facilitating and supporting any training opportunities for employees to assist with potential redeployment roles
- owning their part of the redeployment process, acting as a positive role model for the changes
- facilitating a two way flow of communication
- preparing teams and individual employees for redeployment changes
- consulting with and keeping informed employees who are absent from work (for example those on sickness absence or family friendly related absence).

3.5 Employees

Employees are responsible for:

- complying with our Code of Conduct for Employees. We expect the highest standards of integrity and conduct from all employees
- engaging in a redeployment process to make sure it is meaningful and productive
- identifying and engaging in any training opportunities that may be required for potential redeployment
- discussing all genuine concerns with their line manager, another appropriate manager, or human resources
- asking questions and raising concerns directly with their team/line manager. They are also encouraged to use their recognised trade union representatives as a means of coordinating two-way feedback relating to general feedback and concerns over the redeployment proposals.

3.6 Human Resources

Human Resources are responsible for:

- updating this policy and procedure in line with the agreed schedule, or as changes occur, to comply with employment and other pertinent legislation, best practice and the SSSC people strategy
- developing this process and procedure collaboratively to meet legal and business requirements
- developing template letters, forms and guidance
- offering advice on how to apply the redeployment policy and procedure
- making sure the process is followed in line with the policy and procedure
- reminding employees and managers of their responsibilities under the policy and procedure, if required
- monitoring the use of the policy and processes and reporting any non compliance to Heads of Department/Directors.

4. Policy

This policy defines the steps we will take to make sure redeployment is fair, transparent and complies with our statutory obligations. It also reflects our continuing commitment to working in partnership with employees and the recognised trade union.

4.1 What is redeployment

Redeployment is where suitable alternative employment is sought by the organisation for employees when:

- They have been displaced due to workforce change which means:
 - the role is no longer needed
 - the role responsibilities have decreased
 - the role responsibilities have moved to another role.
- They are unable to perform the duties of their post due to ill health/disability and there is an occupational health report that confirms this recommendation.
- They are unable to perform the duties of their post due to capability (performance).

4.2 Job matching

If an employee has been displaced due to a change in workforce requirements, eg organisational change and/or department restructure, our first step is to consider job matching.

This is an assessment of the function and responsibilities of an employee's current substantive post against the duties and responsibilities of new or existing vacant permanent posts.

A successful match is where 75% or more of the functions of a substantive post match the functions of the alternative post. In a restructure we may employ an employee into a similar post (job matched) or to a previous post they have held.

If an employee is not job matched into a suitable post they will be classed as displaced. They will then be placed on the redeployment register held by Human resources and we will follow these steps:

- redeployment process
- salary protection
- appeal process.

Each of these stages is different depending on the reason for redeployment and is outlined in more detail in Section 5.

5. Procedure

5.1 Redeployment due to workforce change

Redeployment process

Once you are on the redeployment register you will meet with your manager and Human resources to discuss the process. You can bring a representative of a recognised trade union representative or a work colleague to any redeployment meeting.

You will be asked to complete a Redeployment Form (Appendix 1). This form will capture your experience and skills to help Human resources identify whether you are suitable for future permanent vacancies. Human resources will email you and all other employees on the redeployment register on a regular basis with information on any upcoming internal vacancies.

You will have priority to apply for a post, ahead of any post being more widely advertised. If we identify a vacancy as potentially suitable for you, the recruiting manager, with support from Human resources, will consider your redeployment form against the requirements of the post using the job profile and person specification. If you meet the criteria we will invite you to interview.

You can apply for any vacancy within the SSSC that you feel you have the suitable skills, knowledge and/or experience for. We would prefer to redeploy you to permanent posts, however, in certain circumstances, eg where we do not have a suitable permanent post or a temporary role is preferable for you, we may redeploy you to a temporary post.

If you wish to be considered for a post on a higher grade from your current or most recent substantive post (promoted post) you will need to apply through the normal competitive recruitment process. If you have the skills, knowledge and/or experience required we will invite you to participate in the recruitment process. The recruiting manager is responsible for the final decision.

If we consider you unsuitable for a post after the recruitment process, we will provide clear interview notes stating what skills, knowledge or experience were not demonstrated by you. If no employee on the redeployment register was successful, then we will advertise the post internally and/or externally as appropriate.

If no suitable vacancy is available for you, we are responsible for finding alternative temporary duties for you while on the redeployment register. An appointed line manager will hold regular review meetings with you to provide support.

Salary protection

If you are job matched or redeployed to a new post with a lower grade than your current substantive post salary protection will apply.

You will remain on your current salary point on a protected basis for a three year period from the date you start in the new role. We will confirm the start and end dates of the three year period to you in writing. At the end of three years, we will reduce your salary to the highest point on the salary scale of your new post.

Salary protection will also end if:

- you apply for and are appointed into a post where the salary level is equal to or higher than the protected salary level
- you voluntarily apply for a different post and are successful
- your new substantive salary catches up with the protected salary (this includes through Job Evaluation).

You will continue to receive any annually agreed cost of living pay increases through the three year period consistent with your contract of employment. For more details please refer to the [Salary Protection Policy](#).

Appeal process

If we have job matched or redeployed you to a post, and you do not agree with the decision, you can appeal to the Director of Finance and Resources. They will decide who is the most appropriate EMT member to hear the appeal. You can appeal in writing by letter or email and must do this within 14 calendar days of the date of the offer letter for the new post.

You must clearly state the reasons for your appeal and why you do not consider the offered post to be suitable alternative employment. We will arrange an appeal meeting as quickly as possible following receipt of your appeal.

If your appeal is not successful and we consider that you have unreasonably refused suitable alternative employment opportunities which we have matched you to, we will arrange a meeting to consider terminating your employment in line with the relevant policy.

If you voluntarily apply for a post and are successful there is no right of appeal.

5.2 Redeployment due to ill health/disability

If you become unable to do your job due to a medical condition, disability or if by continuing in your post you will make your medical condition and/or disability worse, we have a duty to consider reasonable adjustments and this may include alternative employment on a temporary or permanent basis.

In these situations, you must seek advice from Human resources and an Occupational Health report is required. When we consider suitable alternative employment, we will consider each case on its own merits.

If we are considering redeployment for you and you have a disability this may include reasonable adjustments, such as changing your working hours or providing you with special equipment.

Redeployment process

We must have an up to date Occupational Health report that includes redeployment as one of the recommendations to consider you as eligible for redeployment through ill health or disability. Once we have received this we will arrange a Capability Hearing in line with the Capability Policy to agree any redeployment options.

At this hearing we will explore options for redeployment and any adjustments that we need to make to support this.

Salary protection

If you are redeployed permanently through ill health to a post with a lower salary grade, and/or different terms and conditions, we will adjust them accordingly from the start date of the new position and salary protection will not apply.

Appeal process

If we have redeployed you into a post due to ill health/disability, and you do not agree with the decision, you can appeal to the Director of Finance and Resources. They will decide who is the most appropriate EMT member to hear the appeal. You can appeal in writing by letter or email and must do this within 14 calendar days of the date of the offer letter for the new post.

You must clearly state the reasons for your appeal and why you do not consider the offered post to be suitable alternative employment. We will arrange an appeal meeting as quickly as possible following receipt of your appeal.

If your appeal is not successful and we consider that you have unreasonably refused suitable alternative employment opportunities that we have matched you to, we will arrange a meeting to consider terminating your employment in line with the relevant policy.

If you voluntarily apply for a post and are successful there is no right of appeal.

5.3 Redeployment due to capability

This can happen when no matter how hard you try you are simply unable to perform the job to the standard required. This could be down to ability, aptitude, competence, knowledge, skills, or qualifications.

Redeployment process

We will manage any issues around performance capability informally, before moving through the formal capability process. If we have managed you through the formal capability process and your performance has not improved sufficiently a hearing may decide to redeploy you into a suitable alternative role.

Salary protection

If you are redeployed through performance capability to a post with a lower salary grade, and or different terms and conditions, we will adjust your salary and terms and conditions

accordingly from the start date of the demoted position and salary protection will not apply.

Appeal process

If we have redeployed you into a post following a capability hearing, and you do not agree with the decision, you can appeal to the Director of Finance and Resources. They will decide who is the most appropriate EMT member to hear the appeal. You can appeal in writing by letter or email and must do this within 14 calendar days of the date of the offer letter for the new post.

You must clearly state the reasons for your appeal and why you do not consider the offered post to be suitable alternative employment. We will arrange an appeal meeting as quickly as possible following you sending in your appeal.

If your appeal is not successful and we consider that you have unreasonably refused suitable alternative employment opportunities that we have matched you to, we will arrange a meeting to consider terminating your employment in line with the relevant policy.

If you voluntarily apply for a post and are successful there is no right of appeal.

5.4 Trial period

When you are redeployed into a suitable alternative role you will have a four week trial period in that role. This is for both you and your new manager to see whether the role is suitable for you. If the trial period is not successful then you will return to the redeployment register and we will continue to look for another role for you.

6. Further information

6.1 Learning and development

To support the fair and consistent application of this policy, we will make sure there is full awareness and understanding of the issues relating to redeployment for managers by incorporating training on this policy within line management development programmes. We will make sure all managers take part in this training and will also provide refresher training.

6.2 Sources of support

We will keep you informed throughout the redeployment process. We will do this in a range of ways to make sure you:

- are aware of, and understand, the reason for redeployment
- understand what will happen during the redeployment process
- know how redeployment will directly affect you.

Managers and Human resources will share information openly as it becomes available during the process. Even if there are no current redeployment opportunities, we will continue to provide updates so that uncertainty is minimised. We know that the

redeployment process can be very stressful for employees. Managers will support you as necessary by providing information directly or signposting you to other areas of support.

Further sources of support include:

- day to day support from line managers
- the employee assistance programme
- advice and support from recognised trade union representatives
- coaching and mentoring scheme
- relevant corporate learning and development opportunities eg resilience training
- ACAS
- Human resources.

6.3 Related documents

The Redeployment Policy is not a standalone policy and cannot be read in isolation. The policy has strong links to other people management policies and guidance. This is summarised below:

- Establishment control policy.
- Workforce change policy.
- [Capability policy.](#)
- [Recruitment and selection policy.](#)
- [Relocation policy.](#)
- [Retirement and redundancy policy.](#)
- [Salary protection policy.](#)



Scottish Social Services Council
Compass House
11 Riverside Drive
Dundee
DD1 4NY

Tel: 0345 60 30 891
Email: enquiries@sssc.uk.com
Web: www.sssc.uk.com

If you would like this document in a different format, for example, in larger print or audio-format, or in another language please contact the SSSC on 0345 60 30 891.

We promote equality by removing unlawful and unfair treatment on the grounds of any protected characteristic wherever possible.

© Scottish Social Services Council 2020