



# Policy:

## Redeployment Policy

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This is version 2 of this policy. This version replaces version 1.  
This policy will be available to all staff via the Sheffield Health & Social Care NHS Foundation Trust Intranet and on the Trust's website. The previous version will be removed from the Intranet and Trust website and archived. Word and pdf copies of the current and the previous version of this policy are available via the Director of Corporate Governance.

Any printed copies of the previous version (V1.0) should be destroyed and if a hard copy is required, it should be replaced with this version.

See Appendix A and E for updates made in 2017.

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## FLOWCHART ON REDEPLOYMENT REGISTER PROCESS

This Policy applies to all permanent employees, except those on medical grades

Request to go on redeployment register is accepted by the Executive Director and HR Director <sup>1</sup>

Yes

No

Send employee letter confirming redeployment & what's involved

Seek advice from Human Resources re: further action e.g. application of Redundancy Policy or other action under the relevant procedure

Send Vacancy Bulletin

Arrange interview asap to fill in preference form and explore training needs, etc.

Employee meets Person Specification of suitable job

Yes

No

Employee disagrees that role is suitable

Consult HR

Consult HR

Agree adjustment to role

Employee agrees role is suitable

Employee remains on Register in accordance with specified timescales

Work trial starts in role identified

Confirmed in role

Take employee through appropriate process if no suitable role including Final Review <sup>2</sup>

Sending Manager, Receiving Manager and HR to consider next steps

Dismissal hearing

Appeal successful

Yes

No

Dismissal confirmed <sup>2</sup>

**Notes**

1. In the case of organisational change, the provisions of the Organisational Change Policy and the Redundancy Policy will be relevant. For other instances see Section 3.

2. In the case of organisational change, this will follow the Redundancy Policy. Other instances will depend on the particular situation and HR advice must be sought.

## 1. Introduction

Sheffield Health and Social Care, NHS Foundation Trust (the Trust) will seek to redeploy employees to sustain job security, where possible, by ensuring successful matching of people to vacancies consistent with the Trust's financial viability and service needs.

The Trust recognises the importance of attracting and retaining skilled and committed employees. From time to time employees who have been unable to be redeployed within their Directorate (see Organisational Change Policy) may be placed on the Redeployment Register. There are also other prescribed circumstances, detailed within the Policy, where placement on the Redeployment Register will be appropriate.

This Policy meets the requirements of all relevant employment legislation.

It should be noted that this Policy will not be used as an alternative to effective performance management through other appropriate policies.

This Policy outlines a number of core principles and actions to avoid the loss of skilled and dedicated staff within the Trust, but at the same time recognising that there may be occasions where this is necessary.

## 2. Scope

This Policy applies to all employees who are substantive post holders within the Trust, except employees on medical grades.

## 3. Definitions

**Substantive post holder:** means either;

- an employee who is the permanent post holder, or
- an employee who may be entitled to the same rights as a permanent post holder. e.g. some temporary or fixed-term contracts, depending on the circumstances. For each case advice must be sought from Human Resources.

**Suitable, alternative employment** is detailed at Appendix G.

**The redeployment register** is kept within Human Resources (HR) and is a list of employees who are eligible for consideration for suitable alternative posts on a preferential basis.

**'Sending' manager** is the employee's line manager and retains responsibility for the employee, including line supervision and financial responsibility, until the redeployment is confirmed.

**'Receiving' manager** is the manager of any identified, suitable vacancy. A 'receiving' manager would form part of the recruitment panel at a guaranteed interview.

**Representation** for employees can be through a trade union or employees can be supported by a colleague from the Trust. The employee is entitled to representation at meetings under this Policy.

### **Vacancy Control Process**

These are arrangements which the Trust may put in place from time to time in order to assist with the consideration of vacancies. Further details are available from HR.

### **Preference Meeting**

This is a meeting between the employee and the sending manager to discuss their skills / abilities, areas of work the employee may prefer and available options (see section 7.2). An outcome of the preference meeting is a form on which information about the employees skills and experience are held. (Appendix H)

### **Priority Redeployment Interview**

This follows on from the Preference Meeting. It is arranged by the receiving manager to ensure that the employee meets the essential criteria of the post's person specification, or would meet the criteria with reasonable (re)training or through other developmental opportunities. HR's advice on the interview must be sought beforehand (see section 7.6). A Redeployment interview takes place in advance of open recruitment and in some cases may be a limited competition between redeployees.

### **Limited competition**

This is a form of ringfencing under the redeployment policy. It refers to the ringfence of redeployees who may be suitable for a post if there is more than one.

## **4. Purpose**

The purpose is to assist with the successful redeployment of staff into suitable alternative employment by means of the Trust's Redeployment Register.

The circumstances when such a placement will be considered are:

- once redeployment with the same area/service/directorate has been exhausted (see policies on Organisational Change and Redundancy)
- where there is a health issue and it is decided that placement on the Register would be appropriate
- where it is considered beneficial for an individual who has raised a Bullying and Harassment claim or Whistleblowing claim

Approval from the relevant Executive Director (i.e. of the member of staff involved) and the HR Director will be required prior to an individual being placed on the Register. At the time of placement it will be clarified as to how long the individual will be placed on the Register. This will vary according to the circumstances. For example in the case of organisational change, the time-period will be determined under the Redundancy Policy. In the case of individuals who have lodged claims under the Bullying & Harassment Policy or Whistleblowing Policy, both the placement itself and the terms of the placement will be agreed with the individual beforehand. In the case of health issues, placement will generally relate to situations where the employee is deemed disabled under the Equality Act 2010 (superseding the Disability Discrimination Act) and it has not been possible to identify and/or implement reasonable adjustments to the current role held by the employee. During the period of placement on the register the principles of the Managing Sickness Absence Policy would continue to apply.

Individuals who are placed on the Redeployment Register for reasons not directly arising from organisational change will not be subject to the Redundancy Policy and so there would be no dismissal for redundancy or associated redundancy payment.

There will be examples of cases where an individual is placed on redeployment but the management of their redeployment will be through the relevant policy. For example in the case of a health issue which is not a disability, consideration will still be given to any appropriate available opportunities in the normal way but the individual will remain within the scope of the Promoting Attendance Managing Sickness Absence Policy.

## 5. Duties

The Board of Directors is accountable for:

- commitment through endorsement of this policy
- identification and allocation of any resources required for the policy

The Chief Executive is accountable for:

- ensuring the proper allocation of the policy through management arrangements

Line Managers have responsibilities for:

- ensuring they are conversant with the policy and that their staff are fully acquainted with it
- ensuring all staff work in accordance with the policy and legislative requirements

The sending ('line') manager will retain responsibility for their employees at all times until successfully redeployed elsewhere.

The sending manager must search within their own area/service/directorate for a suitable, alternative post before an employee is placed on the Redeployment Register. If such a post is identified, the 'sending' manager and the new ('receiving') manager, discuss with the employee any (re)training, etc, and a start date.

If no suitable post is identified within the employee's own directorate, the details and circumstances of the case is submitted to the relevant Executive Director and /HR Director for them to consider placement on the Redeployment Register.

The sending manager and receiving manager with HR will consider the action needed where an employee disagrees that a role constitutes suitable alternative employment.

Budget-holders are responsible for ensuring appropriate arrangements for funding during the redeployment process including temporary roles and work trials. Agreement will be made at the outset of any arrangements and will be such as they maximise the ability of the organisation to redeploy staff on a temporary or permanent basis.

The recruiting manager will meet with the individual redeployee to assess suitability for the post and inform the recruitment team of the outcome.

The relevant Executive Director and HR Director will form the Panel for any hearing where the outcome may be dismissal arising from the operation of the redeployment procedure.

The Chief Executive or a designated deputy will hear any appeal against dismissal arising from the operation of the redeployment procedure.

Employees are responsible for ensuring that they are fully acquainted with the policy and adhere to its terms. They should cooperate fully with the redeployment process and be as flexible as possible during the search for suitable, alternative employment. This includes attendance on any identified, relevant (re)training courses – internal, external or online, and taking up temporary posts as an interim arrangement until a suitable substantive post can be found. Staff must be able to show that they are actually looking for work during the period they are on the Redeployment Register. If the employee finds they need support from the line manager in order to demonstrate that they are actively looking for work, then they should raise this with the line manager in writing. The line manager should seek to ensure that as much support as is reasonably practicable and appropriate is provided.

Human Resources are responsible for:

- advising staff and managers on the policy and associated procedures
- monitoring the policy, as appropriate
- ensuring the policy is adhered to throughout

Members of the HR/Recruitment Team will maintain and keep up to date the Redeployment Register. HR will assist with the redeployment process in order to facilitate progress within as short a time period as reasonably possible.

The Recruitment team will manage the vacancy from the point of approval. This includes management of redeployment applications.

### **Vacancy Control Panel**

Should the Panel approve a job vacancy, employees on the redeployment register, if suitable, would be given priority of consideration in accordance with the ring-fencing arrangements.

## **6. Process**

### **6.1 Ringfencing Arrangements**

In order to ensure that appropriate vacancies can be available to those staff on the Redeployment Register, the Trust will operate the following arrangements:

- No vacancy should be filled on a permanent basis, nor should any temporary or fixed-term contract holder be offered a permanent contract without the post being considered for its suitability for those on the Redeployment Register first. (This consideration will be undertaken by designated officers within the Trust e.g. those on the Vacancy Control Panel).
- The Trust may advertise posts simultaneously internally and externally but ring-fencing arrangements will be applied to all applications. The ringfence arrangements are set out at Appendix I.
- All redeployees who meet the shortlist criteria will be offered a Priority Redeployment interview. Reasonable adjustments will be made to assist employees with a disability to gain redeployment providing the minimum essential requirements of the person specification are met (advice must be sought from HR).

Following consultation, management reserve the right to offer opportunities to staff outside the ringfencing arrangements if this directly results in job opportunities for the “at risk” group by virtue of releasing other posts within the Trust. Similarly the Trust may participate in a Mutually Agreed Resignation Scheme (or similar) if this results in releasing other posts which could constitute suitable alternative employment.

Where employees from the Redeployment Register are being considered for a vacancy, there may be a need to distinguish candidates according to their circumstances. Preference will be given to those who are not currently in a role i.e. they are not in a substantive role with protection or not in a temporary role (with or without protection) which is due to continue for 3 months beyond the date of appointment for the vacancy.

### **6.2 Preference Meeting**

The ‘sending’ manager arranges a preference meeting which is a personal interview to discuss their skills/abilities, areas of work the employee may prefer and available options. The employee can be represented or supported by a union representative or work colleague.

The Preference Form (at Appendix H) should be completed as the meeting progresses. Completing this form would also identify any training or retraining which can be offered during the second stage of the process. A copy of the Redeployment Policy will be given to the employee prior to the preference interview.

Although the employee would be expected to have some flexibility in terms of what would be deemed as suitable alternative employment (see section 2 and Appendix G), the following should still be considered at a preference interview:

- the nature, status and band/grade of the post;
- qualifications and skills attained;
- number of hours and when they are worked;
- career expectations/prospects;
- personal and/or domestic circumstances.

The 'sending' manager then forwards the completed Preference Form to HR along with a copy of the letter to the employee representative which confirms the interview.

HR and the 'sending' manager keep records of any contact they have with the employee regarding any declaration of interest in a job, discussion of person specification or other relevant information.

In exceptional circumstances, the number of staff involved may mean that it is not possible to offer a preference meeting to staff. In such situations, Staff Side will be consulted in order to agree appropriate alternative arrangements e.g. a general meeting with the staff involved would take place with their representatives in order to explain fully the importance of the information required and answer any questions prior to the form being sent out directly to the staff for completion and return.

### **6.3 Redeployment Register**

As soon as the HR Team receives the completed Preference Form (Appendix H), and a copy of the letter confirming the preference interview, they will put the employee details on the Register (if this has not already taken place). A letter confirming the employee's place on the redeployment register will be sent from HR this letter will set out the expectations of the redeployee during the period on the register. Staff will be provided with support to register with NHS jobs to enable weekly alerts of jobs that meet their specified criteria to be sent directly. This will include all posts advertised on NHS jobs. (those posts applied for that are not in the Trust will not be subject to protection arrangements or the redeployment policy).

In addition all staff have access to the weekly communications digest which includes all Trust vacancies. If you have problems with access then please contact your manager.

### **6.4 'Matching' redeployees to vacancies**

During the redeployment process, managers will continue to be proactive in 'matching' employees, either via a vacancy just occurring within the same Directorate, or a vacancy prior to advertising, which is then 'matched' with the employee by HR/Recruitment. 'Matching' redeployees to vacancies ensures that opportunities for redeployment are identified at the earliest possible stage, and that redeployees are given early access to a priority redeployment interview.

Once an employee is 'matched' to a suitable vacancy, they would be required to attend a Redeployment interview. This may be a limited competition interview if the post is deemed a suitable alternative for other redeployees also.

In undertaking this matching, consideration should be given to whether any reasonable further training etc would enable the employee to take up the available post.

### **6.5 Identify suitable, alternative post (see Appendix G)**

An employee should meet the essential criteria of a post's person specification or be able to meet that criteria with reasonable (re)training and/or other developmental opportunities, e.g. mentoring, shadowing. The time-period involved will form part of the consideration of what is reasonable.

The employee is required to be as flexible as possible in their approach to redeployment and should consider posts which are a grade lower, on a temporary basis or on fewer hours than their contract as well as permanent ones on the hours normally worked. The employee would still retain their substantive status should a post at a lower band be accepted. Preferences put forward by the employee at the preference interview will be considered but cannot be guaranteed to be accommodated.

Supernumerary posts may be offered. Whilst in a supernumerary post the employee remains on the Redeployment Register and remains the responsibility of the sending manager, as such posts would be for limited periods only. Normally of up to 3 months.

Secondments within or external to the Trust may be considered / agreed. Depending on the length of the secondment reactivation of the individuals redeployment will be 3 months prior to the end of the secondment [insert link to the secondment policy].

Where employees are matched / appointed to temporary posts redeployment will be reactivated 3 months before the end of the post and regular contact will be maintained with the individual. Priority under the redeployment policy will only apply in the 3 months prior to the end of the temporary post.

Where an individual's substantive role is at a lower band than the vacant post, they may be interviewed on a secondment basis, and take up a post for a period of up to 6 months, with a training plan to develop the necessary skills. After this period the post will be advertised internally as substantive, giving both the seconded employee and other staff in the Trust the opportunity to apply. If the employee is unsuccessful they will return to redeployment at their substantive pay band.

The completed preference form is sent to the 'receiving' manager. HR will keep a record of declared interest, correspondence and any contact with the employee and 'receiving' manager.

The location of a suitable, alternative post will not normally be sufficient reason for an employee to turn down a potentially suitable post. However, consideration will be given to employees whose circumstances would mean substantial travel difficulties. Such circumstances would be discussed on an individual basis and if the new location is at a greater distance, excess mileage would be payable in accordance with the Location Flexibility Allowance agreement.

If an employee declines a suitable, alternative post at any given point of the redeployment process, without a justifiable reason, they will be placing their employment at risk. If the employee is on the Register as a result of organisational change, they may forfeit their right to a redundancy payment.

Where an employee does not agree that an offer of a suitable alternative employment (temporary or permanent) is a suitable alternative role the process below should be followed.

1. The employee and their representative (Staff Side or work colleague from the Trust) should meet with the line manager (or their representative) and a Human Resources representative to discuss the relevant issues. The employee must be able to specify the reasons why the post does not meet the criteria for suitable alternative employment at Appendix G.
2. Following this meeting, the line manager (or their representative) will confirm, in writing, whether the post is still regarded as suitable alternative employment. The line manager must specify the reasons why they still consider that the post is a suitable alternative role.
3. If the employee still disagrees that the post is a suitable alternative role, final decision making will be with the next level manager. The employee and their representative (Staff Side or work colleague from the Trust) should meet with the next level line manager (or their representative) and a Human Resources representative to discuss the relevant issues. The employee must be able to specify the reasons why the post does not meet the criteria for suitable alternative employment at Appendix G.
4. Following this meeting, the manager will confirm, in writing, whether the post is still regarded as suitable alternative employment. The lead manager must specify the reasons why they still consider that the post is a suitable alternative role. This decision will be final.
5. If at the end of this consideration it is still felt that the role is suitable and there are not justifiable reasons for the employee declining the role (i.e. the refusal is unreasonable in the circumstances) then the matter will be referred to a hearing at which dismissal maybe the outcome.

In the event of dismissal the employee would have a right of appeal against any such action. The appeal shall be in writing to the Executive Director within 7 working days of written confirmation of the decision being issued to the member of staff.

### **6.6 Priority Redeployment Interview**

This is an interview arranged by the 'receiving' manager/other members of the panel with HR in attendance, if required. An individual can have a representative if they so wished. The vacant post is held while this process takes place.

Discussion of (re)training and any other developmental opportunities, such as mentoring or shadowing forms part of this interview and is expected to be agreed alongside any offer of a work trial. The main aim of a redeployment interview is to ensure that the employee meets the essential criteria of the post's person specification, or would meet the criteria with reasonable (re)training or through other developmental opportunities. The requirements and timescale for any re-training need to be clearly specified by the receiving manager.

HR's advice on the interview must be sought beforehand.

If the employee, following interview, decides not to take up a post with or without a work trial and without a justifiable reason, then this would count as a refusal to accept a suitable, alternative post.

### **6.7 Work Trial**

Employees offered alternative employment will be given the opportunity of a work trial of at least four weeks, but this can be extended in exceptional circumstances (to a maximum of twelve weeks), in order to take account of reasonable training needs or authorised absence including phased returns. In cases where the employee is returning from long term sickness absence, the normal considerations will apply including whether there should be a phased return. The trial period will include the working days during the phased return unless agreed otherwise on a phased return basis and will not form part of the allocated work trial period. There will be regular meetings (at least every two weeks) during a work trial.

The 'receiving' manager will be responsible for providing a mini induction, 'on the job' training/shadowing, any external training and for monitoring progress during the work trial.

During an employee's work trial, the timescale on the redeployment register would be 'frozen'

### **6.8 Employees on Protected Pay**

These are employees who are in receipt of protected pay under the Trust's Protection of Pay and Conditions Agreement. This may have occurred, for example, as a result of taking up a lower graded post due to organisational change. It is in the best interests of the Trust and the employee, wherever possible, to find employees a post which is funded at the appropriate level.

It is the responsibility of the 'sending' Service/Directorate to fund the cost of any protection of pay and/or conditions, and any other costs, e.g. excess travel.

Where protection is applicable it will commence from the first date of placement on the Redeployment Register at the point the employee no longer undertakes a substantive role. Where an employee is in receipt of protection then any substantive posts arising at the protected band/grade which would constitute suitable alternative employment will be considered for the individual in accordance with the ringfencing arrangements.

### **6.9 Regular meetings during work trial**

It is vital that the employee is fully supported during the work trial. The first meeting should take place not later than the end of the first week (if the work trial is 4 weeks) in order to identify any further support/assistance the employee may need. The employee may be accompanied by a

representative but it should not unnecessarily be delayed in order for the employee to be represented or accompanied.

A review meeting should take place during the fourth week of the work trial and the 'receiving' manager evaluates progress, taking into account feedback from the employee at this meeting. Again, this meeting should not be unduly delayed for representation. The dates of meetings should be set at the beginning of the trial so that the employee can arrange representation or support.

If the trial is extended or the trial is over a longer period than four weeks, a formal review meeting should be arranged during the sixth week.

A formal review meeting would ideally have a member of the HR Team present. The employee is entitled to be represented or accompanied at any meeting. It is important for the date to be arranged well in advance to ensure that it takes place during the trial's 6<sup>th</sup> week and every subsequent two weeks during the trial period.

All options should be considered and discussed at a formal review meeting. This includes any agreement to extend the trial; further support and/or training/developmental needs; to fully explore any shortfalls in performance and agree standards of improvement. Should there be areas of concern, from either party, then the next meeting would be a formal review meeting. Shortfalls in performance and areas of improvement must be confirmed in writing to the employee.

#### **6.10 Outcome of Work Trial**

If the work trial is successful, the terms and conditions of the redeployed post should be confirmed to the employee.

If the trial is unsuccessful, the employee will return to the responsibility of the 'sending' manager for consideration of what further action would be appropriate. Reasons for this must be put in writing by whichever party ended the trial and copied to HR. If the sending manager is not satisfied as to the reasons why the work trial was unsuccessful the matter should be referred to the Executive Director and HR Director for further consideration. If the sending manager is satisfied as to the reasons why the work trial unsuccessful then the employee remains on the Redeployment Register in accordance with the terms of the original placement on the Register.

#### **6.11 Timescales**

Employees will be accepted on the Redeployment Register for a specified period of time (not normally more than 3 months) as set out at the point at which they are placed on the Register. For employees who are on the Register as a result of organisational change, the period of placement which will be taken into account will be the date from which their substantive role ended i.e. if someone has been placed on the Register in advance of their role ending, this period will not be taken into account for the purposes of the Redundancy Policy. Placement on the redeployment register will be reviewed at least every 3 months.

The time period must be confirmed in writing. The employee must be in no doubt as to the time period they can be placed on the Redeployment Register and that it may be necessary at the end of that period to consider termination of employment.

The employee should bear in mind that during any termination notice period, they would remain on the Redeployment Register. If a suitable job is identified in that notice period, it is frozen at that time during the ensuing redeployment process/work trial period.

**A final formal review meeting** would be arranged for employees at the end of whichever time period applies. This final formal review meeting would be conducted in line with the most appropriate policy, taking into account why the employee was placed on the Redeployment Register.

#### **Exceptional Circumstances**

Where someone is on the Redeployment Register as a result of a Whistleblowing or a Bullying & Harassment claim (i.e. it has been agreed with the employee that it would be appropriate in the

circumstances to place them on the Register rather than them continuing in their role) then there will be no specific time–period set such that by the end-date termination of employment would have to be considered. The employee would continue to have their position reviewed at regular intervals, at least every 3 months, and they would still need to be considered for and take up suitable alternative employment. Any dispute about the suitability of employment would follow the process in Section 7.5. If there is no reasonable prospect of suitable alternative employment being available then consideration may need to be given to agreeing the best way forward for the Trust and the individual outside the scope of the Redeployment Policy.

## **7. Dissemination, storage and archiving**

Policies are available on the Trust’s intranet and, if necessary, a paper copy can be provided by the Human Resources Department.

Archive policies are available in the HR Department.

## **8. Training and other resource implications**

The Human Resources Department offers training and support to managers in the implementation of human resources policies.

## 9. Audit, monitoring and review

Monitoring Compliance Template						
Minimum Requirement	Process for Monitoring	Responsible Individual/group/committee	Frequency of Monitoring	Review of Results process (e.g. who does this?)	Responsible Individual/group/committee for action plan development	Responsible Individual/group/committee for action plan monitoring and implementation
Successful redeployment of trust employees within reasonable timescales	Redeployment register  Weekly review against vacancies  Vacancy control panel	HR	Monthly	HR SMT Vacancy Control Panel Task and finish groups as appropriate	HR SMT VCP	HR

## 10. Implementation plan

Action / Task	Responsible Person	Deadline	Progress update
<i>Upload new policy to intranet and replace old version</i>		<i>01/12/2016</i>	
<i>Make team aware of updated policy (new format only)</i>	<i>Team manager</i>	<i>17/12/2016</i>	<i>On agenda for team meeting 17/12/2016</i>

There are no additional training needs or resources as this is a revision to an existing policy with no changes other than formatting.

## **11. Links to other policies**

Equal Opportunities and Dignity Policy  
Recruitment and Retention Procedures  
Bullying and Harassment Policy  
Managing Sickness Absence Policy  
Policy on Pay Protection and Conditions of Service  
Organisational Change Policy, Capability Policy, Grievance Policy  
Disciplinary Policy, Redundancy Policy, Whistleblowing Policy  
Location Flexibility Allowance

## **12. Contact details**

Human Resources Department is available for support and advice.  
The contact details are available through the HR portal on the Trust's intranet.

## Appendix A – Version Control and Amendment Log

Version No.	Type of Change	Date	Description of change(s)
0.1	New draft policy created	October 2016	Policy transferred to new format and review of worktrials, redeployment time on the register, refusal of a suitable alternative, routes to appeal and related policies
1.0	Revisions made to policy following HR review. Ratification and issue.	October 2016	
2.0	Modification	February to April 2017	Removal of duplicate sections (e.g. checklist). Changes to Suitable Alternative criterion, links to supporting documents and linked policies, removal of HR compact reference.

## Appendix B – Dissemination Record

- Trust Intranet
- Team briefings
- HR Advice on application
- Change briefing sessions

# Appendix C – Stage One Equality Impact Assessment Form

## Equality Impact Assessment Process for Policies Developed Under the Policy on Policies

**Stage 1** – Complete draft policy

**Stage 2 – Relevance** - Is the policy potentially relevant to equality i.e. will this policy potentially impact on staff, patients or the public? If **NO** – No further action required – please sign and date the following statement. If **YES** – proceed to stage 3

This policy does not impact on staff, patients or the public (insert name and date)

See below.

**Stage 3 – Policy Screening** - Public authorities are legally required to have ‘due regard’ to eliminating discrimination , advancing equal opportunity and fostering good relations , in relation to people who share certain ‘protected characteristics’ and those that do not. The following table should be used to consider this and inform changes to the policy (indicate yes/no/ don’t know and note reasons). Please see the SHSC Guidance on equality impact assessment for examples and detailed advice. This is available by logging-on to the Intranet first and then following this link [https://www.xct.nhs.uk/widget.php?wdg=wdg\\_general\\_info&page=464](https://www.xct.nhs.uk/widget.php?wdg=wdg_general_info&page=464)

	Does any aspect of this policy actually or potentially discriminate against this group?	Can equality of opportunity for this group be improved through this policy or changes to this policy?	Can this policy be amended so that it works to enhance relations between people in this group and people not in this group?
AGE	No	No	No
DISABILITY	No	No	No
GENDER REASSIGNMENT	No	No	No
PREGNANCY AND MATERNITY	No	No	No
RACE	No	No	No
RELIGION OR BELIEF	No	No	No
SEX	No	No	No
SEXUAL ORIENTATION	No	No	No

**Stage 4 – Policy Revision** - Make amendments to the policy or identify any remedial action required (action should be noted in the policy implementation plan section)

Please delete as appropriate: Policy Amended / Action Identified / no changes made.

Impact Assessment Completed by (insert name and date)

Sarah Bawden 20/10/16

## Appendix D - Human Rights Act Assessment Form and Flowchart

You need to be confident that no aspect of this policy breaches a person's Human Rights. You can assume that if a policy is directly based on a law or national policy it will not therefore breach Human Rights.

If the policy or any procedures in the policy, are based on a local decision which impact on individuals, then you will need to make sure their human rights are not breached. To do this, you will need to refer to the more detailed guidance that is available on the SHSC web site

<http://www.justice.gov.uk/downloads/human-rights/act-studyguide.pdf>

(relevant sections numbers are referenced in grey boxes on diagram) and work through the flow chart on the next page.

**1. Is your policy based on and in line with the current law (including case law) or policy?**

**D Yes. No further action needed.**

**D No. Work through the flow diagram over the page and then answer questions 2 and 3 below.**

**2. On completion of flow diagram – is further action needed?**

**D No, no further action needed.**

**D Yes, go to question 3**

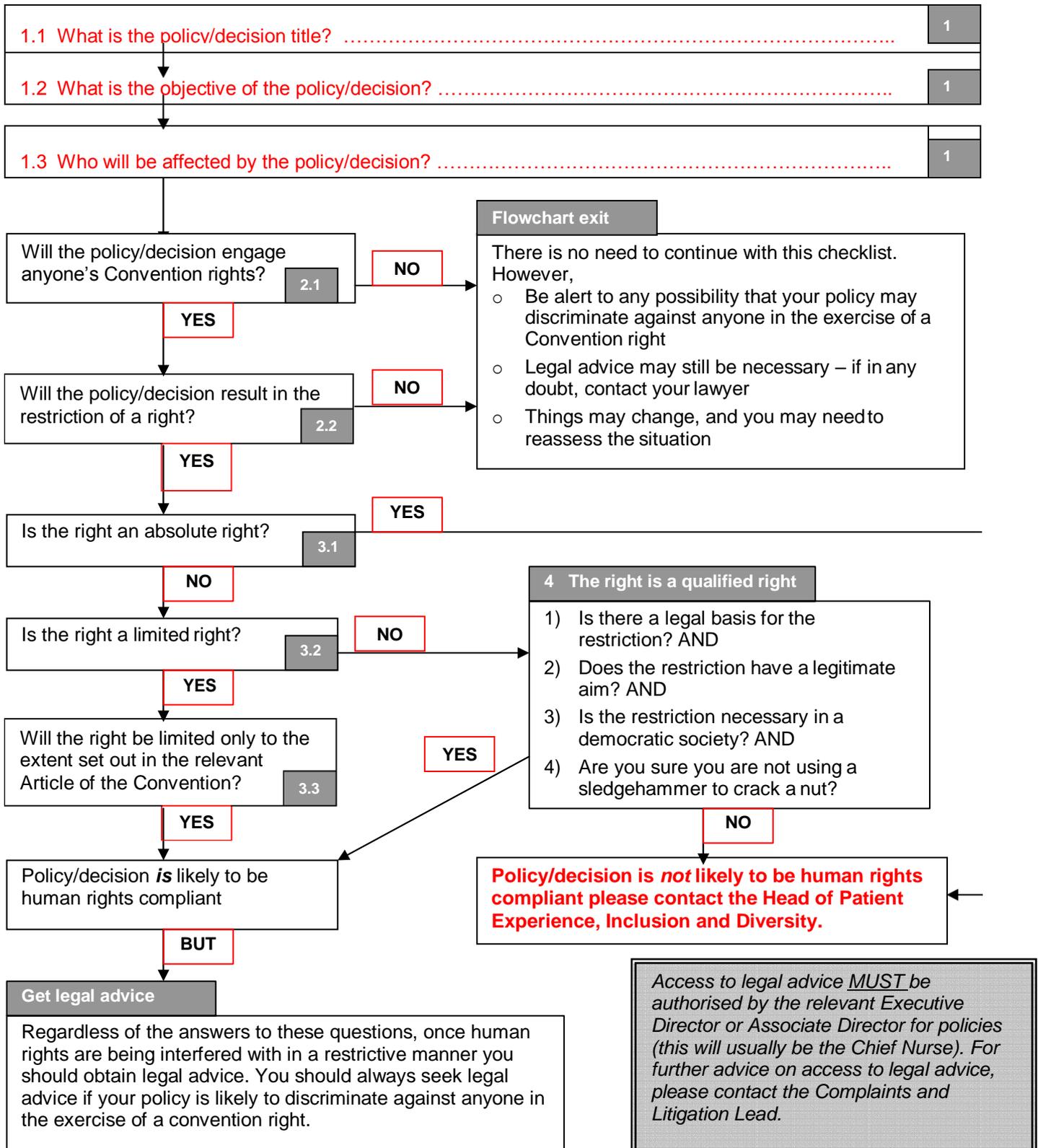
**3. Complete the table below to provide details of the actions required**

Action required	By what date	Responsible Person

## Human Rights Assessment Flow Chart

Complete text answers in boxes 1.1 – 1.3 and highlight your path through the flowchart by filling the YES/NO boxes red (do this by clicking on the YES/NO text boxes and then from the Format menu on the toolbar, choose 'Format Text Box' and choose red from the Fill colour option).

Once the flowchart is completed, return to the previous page to complete the Human Rights Act Assessment Form.



## Appendix E – Development, Consultation and Verification

### October 2016

This policy was placed into the new format for policies and reviewed in HR. The Preference form has been updated through consultation with Staff Side, although no material changes to policy or process were made as a result of the consultation process, consultation commenced with JPG from February 2017.

### February to April 2017

Initially verified by the Joint Consultative Forum on 22<sup>nd</sup> March 2017 via the HR Policies Verification document. Considered by the Joint Policy Group on 22<sup>nd</sup> February and 5<sup>th</sup> April 2017 with further consultation taking place via email with Staff Side.

Policy will be ratified by the Executive Directors' Group – date to be confirmed.

Formal verification will take place again at Joint Consultative Forum on 24<sup>th</sup> May 2017 via the HR Policies Verification document.

### Modifications -

- Clarification of terms (e.g. preference meeting/ priority redeployment interview)
- Clarification of work trial terms
- Agreement to redeployment time on register
- Actions of refusal of a suitable alternative
- Criterion for consideration of a Suitable alternative
- Links with other documents

# Appendix F –Policies Checklist

*Please use this as a checklist for policy completion. The style and format of policies should follow the Policy template which can be downloaded on the intranet (also shown at Appendix G within the Policy).*

## 1. Cover sheet

All policies must have a cover sheet which includes:

- The Trust name and logo
- The title of the policy (in large font size as detailed in the template)
- Executive or Associate Director lead for the policy
- The policy author and lead
- The implementation lead (to receive feedback on the implementation)
- Date of initial draft policy
- Date of consultation
- Date of verification
- Date of ratification
- Date of issue
- Ratifying body
- Date for review
- Target audience
- Document type
- Document status
- Keywords
- Policy version and advice on availability and storage

## 2. Contents page

## 3. Flowchart

## 4. Introduction

## 5. Scope

## 6. Definitions

## 7. Purpose

## 8. Duties

## 9. Process

## 10. Dissemination, storage and archiving (control)

## 11. Training and other resource implications

## 12. Audit, monitoring and review

This section should describe how the implementation and impact of the policy will be monitored and audited and when it will be reviewed. It should include timescales and frequency of audits. It must include the monitoring template as shown in the policy template (example below).

## Suitable, alternative employment explained

**At Section 3 of the Policy under 'Definitions', the following summarises what is meant by 'suitable, alternative employment'.**

**'Skills / abilities** i.e. where an employee's skills/abilities meet the essential criteria of a post's person specification, or would meet with some reasonable (re)training, mentoring, etc. Posts on a band lower, temporary and/or on fewer hours can also be deemed as suitable, alternative employment.

**Travel** – whilst location will not normally be sufficient reason for an employee to turn down a potentially suitable post, consideration would be given to additional travel time (see below) taking into account the availability of public / personal transport and individual circumstances, e.g. child or elder care commitments.

**Hours** – whilst the same number of hours could not be guaranteed, they have to be within reason (see below). Other considerations include:

- impact of changing hours where state / social security benefits are involved(e.g. if going below 16 hours per week)
- flexi hours to fixed hours, or vice versa, should not be a barrier

**Pay and Status** – whilst the same banding and / or status cannot be guaranteed (employees would not be matched to higher banded posts), it is accepted that the pay and status has to be reasonably similar (see below). There is also a separate Policy on Pay Protection and Conditions of Service.

Employees will be expected to change from being weekly paid to monthly paid, with financial support, as necessary.

If the employee is interested in an advertised post at a higher band, a job application would have to be submitted in the normal way as priority of consideration could not be made.

**Personal Circumstances – The employees circumstances, including their domestic** situation and state of health should be considered. Where the employee has a disability under the Equality Act 2010 the Trust will ensure that consideration is given to any reasonable adjustments which can be made to the role.

Advice should be taken from HR in relation to any individuals who are pregnant or on maternity leave at the time they are on the Register to ensure appropriate support is in place and any legal implications are properly understood.

A summary of **guidance** on suitable alternative employment is set out below:

Travel	No more than an additional 45 minutes each way to daily travelling time but with consideration to an individual's personal circumstances.
Hours	Within the boundary of up to 12.5% either way.
Pay	Within a reduction of 1 band.

**APPENDIX H**

**PREFERENCE MEETING FORM**

**REDEPLOYMENT FORM**

**Employee & Post Details**

Employee Name		Manager Name	
Union Rep		Reason for Redeployment (Org Chg/Hlth)	
Home Postcode		Personal Email	
Work Email		Mobile Number	
Home Number		Substantive Post	
Substantive Band		Substantive Hours	
Substantive Work Base		Working Pattern	

**Qualifications**


**Training**


## Experience

Please provide an over view of your work history

Role Title	
Organisation	
Dates From – To	
Brief Description of Role	
Role Title	
Organisation	
Dates From – To	
Brief Description of Role	
Role Title	
Organisation	
Dates From – To	
Brief Description of Role	
Role Title	
Organisation	
From – To	
Brief Description of Role	

Please continue on a second sheet if required.

**PREFERENCE FORM**

**For roles available in an agreed ringfence, please indicate your order of preference:**

Post Title	Location	Order of Choice

**Where roles are not available in the ringfence, please indicate your preferences as follows:**

**Preferred Role Type**– please tick

Admin & Clerical

AHP (OT/ Physio etc)

Ancillary  
(Housekeeper / Cook)

Estates (Gardener / Driver / Plumber)

Medical

Nursing

Other Professional  
(Psychology/ Pharmacy)

OT/ Physio Assistant

Support Worker

**Preferred Location** – please tick

City Wide

North Sheffield

South Sheffield

**Preferred Working Pattern - please tick**

24/7

Mon – Fri  
9 -5

Other

**Personal Circumstances**

How do you travel to work	
How long does it take you	
Are you a car driver and have use of a car	
Do you have any adjustments currently in place to support you at work, e.g. health or flexible working agreement	
Do you have a disability that you wish to make us aware of	
Are you considering retirement	
Are you considering work at a lower band	
Are you considering reducing your working hours	

**Training Needs**

<p>What are your current training needs / what training would support you in the redeployment process consider;</p> <ul style="list-style-type: none"> <li>Numeracy</li> <li>Literacy</li> <li>IT</li> <li>Interview Skills</li> <li>Cavendish Care Certificate</li> <li>Insight training</li> <li>RESPECT</li> </ul>	
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Please add any additional information here (refer to guidance notes)

**Signed .....** **Redeployee**

**Signed .....** **Trade Union Representative**

**Signed .....** **Redeploying Manager**

**Date: .....**

Copies;  
Employee  
Personal file  
Central HR electronic file

## **Ringfencing Arrangements**

## **APPENDIX I**

Ringfencing applies to the following:

Ringfence 1 All staff, displaced or protected, working in the affected areas.

Ringfence 2 All other Trust staff on the Redeployment Register.

Ringfence 3 All staff currently seconded to the Trust who are due to be transferred under The Transfer of Undertakings (Protection of Employment) Regulations 2006.

Ringfence 4 All temporary / fixed-term contract holders or permanent staff with the Trust including apprentices.

Ringfence 5 All other applicants.

For the purposes of ringfencing, service users will be regarded as internal candidates via the User Employment and User Volunteer Service. Also staff who are seconded with the Trust from Sheffield City Council will also be included in the internal recruitment round.

## Checklist of Process APPENDIX J

### STEP 1-

Sending manager identifies eligibility to be placed on the Redeployment Register. A short report should be compiled for submission to the Executive Director and HR Director to consider placement on the register. The report should include any review meeting(s) and, where appropriate, consideration of reasonable adjustments. All options considered within the employee's own area/service/directorate should be specified and the reasons why the employee should now be placed on the Register.

**STEP 2-** If approved, a preference meeting is arranged with the employee and 'sending' manager in order to complete the Preference Form (at Appendix H). At this interview and all other follow-up meetings, the employee should be offered representation. The completed form is sent to HR, along with a copy of the letter to the employee which confirms the preference interview.

**STEP 3-** Employee details are placed on the Redeployment Register by HR and the employee should register with NHS jobs [www.jobs.nhs.uk](http://www.jobs.nhs.uk). It is the employees responsibility to continue to actively seek work during redeployment

**STEP 4-** Following the vacancy control process, the HR/Recruitment Team checks weekly vacancies for suitability prior to any posts being advertised. If a vacancy is deemed suitable, the employee is sent job details and the 'sending' manager informed. A copy of the preference form is then sent to the potential 'receiving' manager for a redeployment interview to be arranged.

[If a vacancy is advertised in the Vacancy Bulletin and a redeployee declares their interest to HR, the job details are sent to the employee. An HR Adviser would check if the employee is deemed suitable in liaison with the potential 'receiving' manager. If deemed suitable, a preferential interview would be arranged ahead of release of any other job applications].

**STEP 5-** A redeployment interview is arranged by HR with the employee / 'receiving' manager / other members of recruitment panel and, if required, the HR Adviser. Also discussed at this interview is any appropriate (re)training, mentoring, shadowing which would assist the redeployee's performance in the duties of the vacancy. The interview should be as informal as possible whilst ensuring the recruitment process. Questions asked should be relevant to the job and person specification.

**STEP 6 -** If employee is deemed suitable by the receiving manager, in line with Appendix G, a work trial is normally arranged, during which there should be regular, review meetings with the 'receiving' manager, employee's representative / support and HR, as appropriate. If shortfalls in performance are identified, the employee is given opportunities to improve and, as appropriate, further training is considered.

Note that if the post is a like for like match it may be agreed that there is no requirement for a work trial, although an individual retains their statutory right to a work trial if the suitable alternative changes their terms and conditions.

**STEP 7-** Following a successful work trial, the appointment to that post is confirmed by the receiving manager.