

Worcestershire Acute Hospitals Trust

Redeployment Framework and Guidance

Department/Service	Human Resources
Accountable Director	Chief People Officer
Queries about interpretation and application of policy	wah-tr.hrenquiries@nhs.net
Target Organisation	Worcestershire Acute Hospitals Trust

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1. Introduction

- 1.1 Worcestershire Acute Hospitals NHS Trust is committed to protecting the security of employment for its colleagues as far as is possible. It is therefore essential that a clearly understood practical redeployment framework is in place which enables people to be redeployed to suitable posts within the Trust.
- 1.2 The Trust also has a legal obligation to ensure that it makes reasonable adjustments in line with the Equality Act 2010. This could include redeployment on the basis of any of the protected characteristics under the Act.
- 1.3 The Redeployment Framework and Guidance outlines the key principles of managing and supporting colleagues in connection with redeployment and provides advice and guidance to both managers and colleagues on the process that will be followed during redeployment situations, on both a temporary and permanent basis.
- 1.4 This framework is intended to provide advice and guidance to managers and colleagues on the process that will be followed during the redeployment process.
- 1.5 This framework should be read in conjunction with the relevant policy and process applicable to the colleague, see section 'Associated Policies' for further information.
- 1.6 The aim of this framework is to ensure a fair and consistent approach to redeployment is followed, whilst providing a user-friendly guide for managers and colleagues about the principles surrounding redeployment.
- 1.7 This framework applies to all affected colleagues of Worcestershire Acute Hospitals NHS Trust (herein referred to as "the Trust"). When it is identified that redeployment is appropriate, colleagues will be placed on the 'Redeployment Register'.
- 1.8 The process by which colleagues access redeployment may vary, and individual entitlements within this may differ, depending on the 'at risk' route that is being followed.

2. Definitions

- 2.1 **Permanent Redeployment** - is the process of seeking suitable alternative employment for a colleague on a permanent basis.
- 2.2 **Temporary Redeployment** - is the process of seeking suitable alternative employment for a colleague for a short period of time and for no longer than six months. It is expected that the colleague will return to their permanent substantive role at the end of this period.
- 2.3 **Redeployee** – a colleague who is eligible to be added to the redeployment register and given priority access to potentially suitable vacant jobs.
- 2.4 **At Risk** - where a formal process has been initiated and an individual has been issued with a formal "At Risk" notification arising from organisational change, capability management or the ending of a fixed term contract.
- 2.5 **Redeployment register** – a register of redeployees' skills, education and experience, maintained by the Human Resources department that is used for the process of assessing vacancies for potential suitability.

- 2.6 **Suitable alternative employment** – whether a role is suitable depends on how similar the work is to the Redeployee's current job, status, pay, hours of work, location and length of the role. Regard will be given to the personal circumstances of the Redeployee although some flexibility will be expected to be shown. Reasonable adjustments may be considered for roles to deem these suitable.

3. Reasons for Redeployment

3.1 Organisational change

- 3.1.1 Please refer to the Management of Organisational Change Policy for further information.

3.2 Ill Health grounds

- 3.2.1 Please refer to the Sickness Absence and Well Being Policy for further information.
3.2.2 Medical advice must be obtained from Occupational Health before a colleague is considered eligible to be registered for either temporary or permanent redeployment on health grounds. Colleagues redeployed to a post on a lower band due to health reasons will not be entitled to pay protection.

3.3 Performance issues

- 3.3.1 Please refer to the Performance Management Policy for further information.
3.3.2 Colleagues redeployed to a post on a lower band due to performance concerns will not be entitled to pay protection.

3.4 Disciplinary action i.e. as an outcome of a disciplinary hearing

- 3.4.1 Please refer to the Disciplinary Policy for further information.
3.4.2 Dependent on the circumstances, a disciplinary panel may decide to redeploy a colleague, on a permanent or temporary basis. The overriding consideration will be whether redeployment is in the best interests of the colleague and the Trust. Where the outcome involves downbanding, colleagues would only be eligible for vacancies at bands below their substantive post. Pay protection will not apply.

3.5 Breakdown of working relationships

- 3.5.1 Temporary Redeployment may be considered to be a supportive measure whilst an investigation takes place.
3.5.2 A recommendation following a formal process might be that a working relationship has irretrievably broken down between colleagues, which could potentially have an adverse impact on working relationships, an individual's health and wellbeing, patient care, service delivery or Trust reputation. Such a recommendation ~~This~~ will only be considered as a final option to resolving such issues. Service need will be considered when deciding which individual should be supported to seek alternative employment.
3.5.3 The need for redeployment can only be established after an investigation has taken place and found allegations to be proven, and where the decision to redeploy is supported by Human Resources and, if relevant, with appropriate medical advice from Occupational Health.

3.6 Ending of a fixed term contract

- 3.6.1 Please refer to the Fixed Term Contract Guidance for further information.
3.6.2 All staff on a fixed-term contract who have been given notice that their contract is due to be terminated because it has ended, (rather than due to any performance or conduct issues), can apply for any vacancies within the Trust up until their date of termination.
3.6.3 Fixed-term contract staff with two years or more continuous NHS service and who are at risk of redundancy, may be considered for redeployment.

3.7 Flexible working

- 3.7.1 Please refer to the Flexible Working policy for further information.
- 3.7.2 Colleagues may be redeployed via the temporary process where a flexible working application has been declined, and if the colleague wishes to proceed through the Escalation Stage.

3.8 Temporary Redeployment

- 3.8.1 Some colleagues may require either alternative duties or redeployment to another role for a temporary period.
- 3.8.2 Reasons for temporary redeployment or alternative duties may include pregnancy, health reasons, relationship breakdowns. This is not an exhaustive list.
- 3.8.3 Colleagues seeking temporary redeployment will follow the same principles as permanent redeployment and will be added to the redeployment register.
- 3.8.4 Temporary redeployment should not exceed six months.

It is recognised that there may be other circumstances where the Trust determines that redeployment may be appropriate.

4. Priority Order for the Redeployment Register

To ensure fairness and consistency, the Trust will apply the following priority order when considering redeployees for suitable alternative employment:

Priority 1 – Maternity-Related Redeployment

Colleagues who are at risk due to pregnancy, maternity leave, or upon returning from maternity leave, in accordance with relevant statutory protections.

Priority 2 – At Risk of Redundancy

Colleagues who have been formally identified as being at risk of redundancy.

Priority 3 – Long-Term Health Condition or Disability

Colleagues who are permanently unable to undertake their substantive role or are unlikely to return to their substantive role in the foreseeable future, as a result of a long-term health condition or disability, following consideration of all reasonable adjustments.

Priority 4 – Organisational Change

Colleagues affected by organisational change who require redeployment but are not at risk of redundancy.

Priority 5 – Other Substantial Reasons

Colleagues requiring redeployment for any other substantial reason, including, but not limited to:

- Capability concerns;
- Working relationship difficulties;
- Temporary redeployment arrangements;
- Flexible working
- Redeployment arising from the outcome of a formal disciplinary process.

Where more than one colleague within the same priority category is identified as suitable for a vacancy, the selection process set out within this policy will be applied.

5. Duration and Principles of Redeployment

- 5.1 Redeployment for redeployees should be managed proactively.
- 5.2 For colleagues who have been formally put 'at risk' because of an organisational change process there will be a job search period of 3 calendar months.
- 5.3 For colleagues seeking redeployment for any other reason, there will be an initial job search period of three calendar months. The colleague will either find a suitable alternative post, or the 3-month period will elapse without a suitable post being found.
- 5.4 For those seeking redeployment under the Flexible Working Escalation Stage, the search period will be for 8 weeks.
- 5.5 Colleagues on long term sick leave who are not fit to return to their substantive post may remain off sick whilst a redeployment process is undertaken. The job search period may be extended beyond 3 calendar months. Such an extension will be determined on a case-by-case basis taking individual circumstances into consideration.
- 5.6 Colleagues who have been on the Redeployment Register will be subject to regular review and if suitable alternative employment has not been secured at the end of 3 calendar months, this will be reviewed by the HR representative and the current line manager to determine what action should be taken in relation to their continued employment. This may include:
 - In the case of colleagues at risk of redundancy, the process outlined in the Trust's Management of Organisational Change Policy will be followed.
 - In the case of individuals with a disability or ill health concerns, referring to Occupational Health for further medical guidance. The Process outlined in the Trust's Sickness Absence Health and Wellbeing Policy will be followed. This may include progressing to a Long-Term Sickness Absence Hearing where a possible outcome could be a dismissal on the grounds of Capability Ill Health. Where referral to a Sickness Absence Hearing is agreed, a re-referral to Occupational Health should be made to provide updated information regarding the colleagues fitness to return to their substantive post.
 - Examining the possibility of an individual applying for Ill Health or age Retirement under the NHS Pension Scheme where appropriate
 - In cases where the redeployment process is exhausted and no suitable alternative role is secured; the case will be reviewed in line with the relevant policy under which redeployment was initiated to determine appropriate next steps.
- 5.7 Redeployees on the redeployment register may apply for any advertised vacancy. Roles that are the same band as the colleague's substantive post, or at a lower band or one band higher, will be considered suitable alternative employment.
- 5.8 Fixed-term vacancies or secondments of 6 months or longer will be considered as alternative employment. If a redeployee is redeployed into a fixed-term post or secondment, continuous service would be maintained, and colleagues will remain on the Redeployment Register for the duration of the fixed-term period.

- 5.9 To retain talent in the workforce and to minimise redundancies, advertised positions may be frozen for colleagues yet to be placed at-risk of redundancy but who are subject to a Management of Change process, which is likely to lead to a reduction in numbers of a particular role or profession. Recommendations for posts to be frozen will be considered by the HR Business Partner for the area in consultation with the relevant Divisional Directors and Associate Director of People / Chief People Officer where posts to freeze and timescales will be agreed.

6. Permanent Redeployment Procedure

6.1 REDEPLOYMENT MEETING

- 6.1.1 When redeployment is identified, the line manager and a HR representative will meet with the affected colleague at the earliest opportunity.
- 6.1.2 The colleague may be accompanied at this meeting by a trade union representative or workplace colleague.
- 6.1.3 During the meeting, the Redeployment Procedure will be explained and a copy of the Redeployment Framework provided, along with a copy of the Redeployment Fact Sheet. A letter outlining the discussions including next steps will be sent within seven calendar days of the meeting.
- 6.1.4 The colleague will be required and supported to complete a Redeployment Registration Form, identifying their skills, experience and qualifications. This must be shared with the HR representative supporting the redeployment process, who will then pass this on to the Recruitment Team. The Recruitment Team will be responsible for inputting the redeployee's details on to the Redeployment Register and for confirming once this has been actioned.
- 6.1.5 Redeployees should be offered appropriate support in completing application forms and preparing for informal conversations/interviews.
- 6.1.6 For those seeking redeployment due to management of organisational change, registration on the Redeployment Register will take effect from the date that the colleague is placed formally 'at risk'.

6.2 APPLICATION PROCESS

- 6.2.1 The colleague registered for redeployment is expected to be proactive in identifying potential redeployment opportunities and for informing their line manager and HR representative once an application has been submitted. Colleagues being supported with redeployment will be expected to apply for any suitable roles via NHS Jobs by logging into their NHS Jobs account to proactively search and apply for suitable vacancies.
- 6.2.2 The Recruitment team will also send weekly vacancy update emails to Redeployees, identifying suitable vacancies that are currently being advertised, ensuring that the HR representative is also copied in.
- 6.2.3 Once an application has been submitted, the colleague will be required to provide the HR representative with the job reference and applicant reference numbers for any role(s) that have been applied for.

- 6.2.4 Once a role has been applied for, the HR representative will inform the Recruitment team of the applicant number, and the recruiting manager will be informed by the Recruitment team that a redeployee has applied for their vacancy.
- 6.2.5 Recruiting managers will be expected to review applications submitted by redeployees as priority. Where an applicant meets at least 75% of the essential criteria, they should be invited to an informal conversation. Furthermore, where a redeployee does not fully meet 75% of the essential criteria but could reasonably do so with short-term training or support, they should be invited to an informal conversation. Any decision not to appoint in such circumstances must be supported by clear and objective evidence demonstrating unsuitability.

6.3 INFORMAL CONVERSATION

- 6.3.1 If an application is received from a colleague who is registered for redeployment, their application must be considered ahead of any other applicants who are not registered for redeployment. Recruiting Managers should meet informally with the applicant to discuss the role and any support or adjustments to be considered. A formal or competitive interview is not required.
- 6.3.2 Following this informal meeting, unless there are significant objective reasons that the applicant would not be able to fulfil the requirements of the role, even with support and training, then the applicant should be offered a trial period of 4 weeks in the role.
- 6.3.3 If there are two or more redeployees who have applied for the same role and both/all are shortlisted, a structured interview process will take place, normal interview processes will apply and the priority order as detailed in section 4 will apply.
- 6.3.4 Where a recruiting manager has already shortlisted and arranged interviews before a redeployee application is identified, it will be expected that the recruiting manager will review the redeployee application and if 75% of the essential criteria is met, or where 75% is not met, but could reasonably be met with short-term training or support, an informal conversation should be offered before any other interviews take place. If this is not practicable, the informal conversation should be held with the redeployee before any decisions are made relating to the interviews that have taken place. Redeployees will still have priority and should be offered a trial period if they are deemed suitable for the role.
- 6.3.5 The informal conversation should be used as an opportunity for the recruiting manager to identify whether the redeployee has the required skills, knowledge and/or experience required for the role. It is also an opportunity for the recruiting manager to identify if there are any training needs that the colleague may need. An Informal Conversation Assessment Form should be followed and completed, and this should be sent to the appropriate HR representative and a copy saved on the colleague's personal file.
- 6.3.6 Where it is identified that the redeployee is appointable, this should be communicated either at the end of the informal conversation, or within a period agreed between the redeployee and recruiting manager.
- 6.3.7 If the recruiting manager does not feel that the colleague is suitable for the role, they should discuss this with the HR representative before confirming this decision back to

the colleague. A Justification Form for Managers should also be completed if it is agreed that the role is not a suitable alternative.

- 6.3.8 If deemed appointable, the recruiting manager should communicate this decision to the redeployee and confirmation that a trial period will take place should be given. A template letter is provided within the Redeployment Framework Toolkit. The start date of the trial period should be agreed between the recruiting manager and the redeployee, and this should be communicated to both the HR representative and the substantive line manager.
- 6.3.9 If the colleague does not feel that the role is suitable, and they decline the offer of a trial period, this should be discussed with the HR representative and the substantive line manager, and a Justification Form for Redeployees form should be completed.

6.4 TRIAL PERIOD

- 6.4.1 A trial period should be offered for four weeks, unless mutually agreed otherwise. An extension to a trial may be agreed either before or during the trial with the Recruiting Manager and the HR representative as a reasonable adjustments under the Equality Act 2010.
- 6.4.2 For those at risk of redundancy, an extension will only be granted for retraining purposes.
- 6.4.3 The rationale and arrangements for any extension will be set out in writing by the Recruiting Manager and HR representative, and a copy will be given to the colleague.
- 6.4.4 The Recruiting Manager will set clear, achievable, documented objectives with the member of staff at the beginning of the trial period, and this should be confirmed in writing, confirming the terms and conditions of employment throughout the trial period.
- 6.4.5 The Recruiting Manager and the member of staff will be expected to meet weekly throughout the trial period to review and document progress against the objectives, support provided and any agreed training. This should be documented in the Trial Period Progress Review Form.
- 6.4.6 If during the trial period either the colleague or Recruiting Manager identifies that the post is unsuitable, both should meet to explore the issues and discuss with the HR representative. The colleague will go back into the redeployment pool and will be considered for any further redeployment opportunities identified during the duration of their three-month redeployment period. This will be confirmed in writing using either the Justification Form for Redeployees or Justification Form for Managers, depending on the reasons identified.
- 6.4.7 There is no limit to the number of trial periods a member of staff may undertake within the three-month redeployment period. Where a trial period has commenced, it may extend beyond the three-month period to allow it to be completed in full.

6.5 END OF PROCESS

- 6.5.1 At the end of the trial all parties will meet to review the situation. Where the trial has been successful, the decision will be taken to permanently redeploy the colleague



into the post. This will be confirmed in writing to the colleague within seven calendar days of the trial review meeting. The colleague will be removed from the Redeployment Register and an amendment to contract letter will be issued by the Recruiting Manager.

- 6.5.2 Once a successful trial period has been discussed and confirmed, a change form will be completed by the Recruiting manager, to move them across to their new role, with arrangements agreed by the Substantive Manager.
- 6.5.3 It will be from this point that the colleagues substantive line manager changes and their employment is moved across into the redeployment role.
- 6.5.4 This should be on a permanent basis, unless a fixed-term role was applied for and deemed an alternative. If this is the case, the change form should detail the end date of the fixed term, and the colleague will remain on the Redeployment Register.
- 6.5.5 Where the trial has been unsuccessful, or there has been no role identified within the redeployment period, consideration may be given to dismissal in line with the relevant policy under which redeployment was determined. In cases relating to sickness absence, the redeployment search will continue until the date of any hearing to determine the future employment of the individual.

6.6 TEMPORARY REDEPLOYMENT

- 6.6.1 During a period of temporary redeployment, the substantive line manager will maintain regular contact and meet with the colleague monthly, or as agreed, to discuss any additional support, any changes to the colleagues circumstances and the likely timescales of returning to their substantive role. The colleague will remain under the line management of their substantive area.
- 6.6.2 We recognise that working in a different area or role may be challenging. Therefore, it will be agreed and confirmed who will provide support in the temporary work area.
- 6.6.3 When occupational health has supported a return to the substantive role, the line manager will discuss the return-to-work arrangements. This may include a phased and graduated return to the role.
- 6.6.4 If it is established, either during the temporary redeployment or phased return to work, that the colleague is unable to return to their substantive role, the line manager will seek advice from the HR Advisory team to discuss the options available and next steps in line with the appropriate Trust policy. This could include seeking advice from OH to establish if permanent redeployment is recommended.
- 6.6.5 If permanent redeployment is recommended, the process of seeking suitable alternative roles will commence, and the colleague will be given the priority status that best reflects their circumstances, as set out in Section 4.

7. Funding Arrangements

- 7.1 During a trial period or in some cases for the duration of a temporary redeployment, the colleague will be paid through the budget of their substantive employment.
- 7.2 Where the colleague is redeployed successfully, the receiving department is thereafter responsible for funding the post.



8. Colleagues on Fixed Term Contracts

- 8.1 Redeployment will be sought for any colleague on a fixed term contract where termination or expiry of the contract would result in a redundancy situation.
- 8.2 A colleague on a fixed term contract will attend a meeting with their manager and HR representative to be advised of the ending of the fixed-term contract and will be entered on the redeployment register where possible no less than three months prior to expiry of the contract. The department which currently employs the colleague will continue to be responsible for salary payment during the redeployment process.
- 8.3 In cases where a suitable alternative position has not been secured, a colleague with two or more years of continuous NHS employment, whose post is redundant following the expiry of their fixed term employment may be entitled to a redundancy payment, calculated in accordance with Agenda for Change Terms and Conditions of Employment.

9. Pay Protection

Colleagues will be entitled to protection of Pay and Conditions of Service in situations where the post to which they have been redeployed is at a lower band. This will only apply in the circumstances where the individual is affected by organisational change. (See Management of Organisational Change Policy).

10. Suitable Alternative Employment

- 10.1 The Trust will make all reasonable attempts to identify a redeployment opportunity. Colleagues must co-operate in seeking alternative work and must not unreasonably refuse any appropriate opportunity.
- 10.2 If a colleague unreasonably refuses to accept or apply for a suitable alternative post with the Trust for reasons of personal choice, they must be aware that this may have implications for their ongoing employment and, for at-risk of redundancy colleagues; they may forfeit their right to redundancy payment.
- 10.3 Suitable alternative employment will be defined in terms of pay, working hours, status, band/grade, location and working environment. Consideration will be made to the personal circumstances of the member of staff.

11. Reasonable Adjustments

- 11.1 In circumstances where a displaced colleague is disabled for the purposes of the Equality Act 2010 and that colleague's disability puts them in a particular disadvantage in relation to the requirements of the duties, physical location or nature of the vacancy, consideration must be given to what reasonable adjustments can be made to the role to overcome this disadvantage and allow the colleague to be matched to the vacancy.
- 11.2 This framework should be used in conjunction with the Reasonable Adjustments Framework and SOP.

12. Wellbeing and Support Services Signposting

Support can be found by visiting the Health and Wellbeing pinwheel on the Trust Intranet, or self-referrals can be made to both Optima Counselling Services and the Trust's Staff Psychological Wellbeing Services. Please also refer to our Supporting our NHS Staff Booklet for further information and signposting to services to support health and wellbeing.

13. Policies

Please use this framework in conjunction with the following policies:

- Sickness Absence, Health and Wellbeing Policy
- Disciplinary Policy
- Performance Management Policy
- Flexible Working Policy
- Management of Organisational Change Policy
- Respectful Resolution Policy

14. Responsibilities

Role	Responsibilities
Recruitment Team	Advise Recruiting managers on all aspects of the redeployment policy and procedure. To enter redeployee details on the redeployment register as appropriate. Maintain Redeployment register and Redeployment Process. Highlight potential opportunities to Redeployees and provide support with NHS Jobs accounts where required. To support with setting up NHS Jobs accounts where required. To set up At Risk user accounts for identified redeployees Maintain regular contact with Redeployees by sending weekly job vacancy emails and answering any queries in a timely manner. Regularly liaise with the HR Advisory Team. Provide advice and support to colleagues at risk throughout the process. Liaise with Recruiting Managers to assist in arranging redeployment meetings or informal interviews. Provide Interview techniques / support sessions.
HR Advisory Team	Keep in touch with Recruitment Team for regular updates.

	Respond to any queries or concerns related to Redeployment procedure. Provide advice and support to colleagues at risk throughout the process. Inform Recruitment Team as soon as new colleagues have completed the Redeployment Registration Form to allow them to be added on Redeployment register. Assist in resolving any difficulties or problems which may arise during Redeployment process. Arrange for trial periods, maintain contact with Redeployee and line manager during trial period. Advise Redeployees of suitable sources of support including wellbeing, training and library services.
Line Managers	Have a responsibility to explore and seek suitable redeployment opportunities within their own Directorate prior to placement on the Redeployment Register. Comply with the principles, values and processes outlined in this procedure. Support colleagues throughout the redeployment process, including ensuring such time as required is made available to the individual to facilitate the process of redeployment, for example to enable attendance at meetings etc. Ensure regular redeployment contact/meetings are arranged with the redeployee and HR where applicable.
Recruiting Managers	To advertise vacancies and be open to redeployees based on their skills and experience. Ensure preference is given to Redeployees where a skill match or potential skill match exists. Consult with the Recruitment Team or HR Advisory Team in the first instance if a redeployee does not appear to meet the essential criteria for the advertised post. Complete the justification form for any redeployees that are not considered to meet the essential criteria for the post. Consult with their HR Advisory team contact where it may be necessary to adjust the post or the workplace in line with any recommended reasonable adjustments. Maintain contact with the HR Advisory Team during any trial period.

	Ensure local orientation to the new post and identifying initial and ongoing learning and development requirements. Ensure completion of change form for the transfer of colleague's details at the end of a successful trial period.
Redeployees	Co-operate and engage with HR teams and Recruiting manager during the redeployment process. Ensure that the Redeployment Registration form is completed in a timely manner and shared with the HR representative. Regularly access vacancies through the main NHS jobs vacancy page to ensure they are fully aware of all opportunities arising. To inform the HR representative of any vacancies that have been applied for at the earliest opportunity and to ensure that the job and applicant reference numbers are provided. Participate fully in any training required. Continue with their own continuing professional development and statutory/mandatory training. Complete the justification form for posts that are declined.

15. Keeping in Touch

- 15.1 The frequency and method of contact should be agreed between the substantive manager and colleagues at the beginning of the redeployment process.
- 15.2 It is recommended that contact should be made, as a minimum, every 2-4 weeks during the redeployment process in line with the level of support the redeployee requires to support their individual needs.

Implementation Plan

This Framework will be available on the Trust Intranet.

A policy briefing will be developed for Divisional Management Boards, Directorate Meetings and Worcestershire weekly.

Toolkit Documents

- A: Redeployment Process Flowchart
- B: Redeployment Registration Form
- C: Informal Conversation Assessment Form
- D: Justification Form for Managers / Redeployees
- E: Trial Period Progress Review Form
- F: Redeployment Keeping in Touch form
- G: Frequently Asked Questions
- H: Amendment to Contract Letter
- I: Commencement of Trial Period Letter
- J: Confirmation of Successful Trial Period Letter
- K: Unsuccessful Trial Period Letter
- L: Confirmation of Temporary Redeployment Letter