

Redeployment Guidelines for Health and Organisational Change reasons

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Version Control Sheet			
This must be completed and form part of the document appendices each time the document is updated and approved			
Date dd/mm/yy	Version	Author	Reason for changes
28/05/19	2	Andrea Middleton, HR Advisor	JCC agreed to reinstate this document with minor changes.

Consultation / Acknowledgements with Stakeholders		
Name	Designation	Date Response Received
	Human Resources Policy meeting	11/04/2019

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1 Introduction / Purpose

The purpose of these guidelines is to ensure the redeployment of displaced staff into suitable alternative employment in the quickest possible time and to mitigate the need for redundancies, and for dismissal on the grounds of capability. It is also to ensure staff who are down-graded are redeployed back into higher-banded employment at the first opportunity.

The guidelines apply to all employees who are potentially without suitable employment as a result of organisational change, restructuring, ill health capability and disability.

In all cases the Trust is committed to working in partnership with employees and their representatives to endeavour to find suitable alternative employment.

2 General Principles / Target Audience

These guidelines will apply to all staff employed by Blackpool Teaching Hospitals NHS Foundation Trust.

3 Definitions and Abbreviations

Aspirational Interview

An interview to obtain details of the employees skills and experience and to discuss the career / job aspirations

HR Human Resources

JNCC Joint Negotiating Consultative Committee

Trade Union Representative

A Trade Union Representative means a member of a recognised negotiating body of the Trust

4 Responsibilities (Ownership and Accountability)

Responsibility for the implementation of these guidelines rests with Line Managers (exporting manager).

4.1 The substantive Line Manager must:

- Oversee the redeployment process until redeployment has been achieved or the individual has left the Trust.
- Ensure a full assessment of the skills, experience and availability of the member of staff to work, so that an appropriate match with current vacancies can be made via an Aspirational Interview. (See Appendix 1 and 2).
- Agree contact arrangements with the member of staff and support them in their search.
- Advise their HR representative what suitable alternative duties or reasonable adjustments are required, if appropriate as advised by Occupational Health if the reason for the redeployment is a result of ill health capability or disability.

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- Act as sponsor and referee for the employee they wish to have redeployed, liaising with the potential recruiting manager as required.
- Bring any suitable alternative opportunities to the attention of the employee.
- Maintain regular contact with staff who are temporarily redeployed.
- Meet staff on a regular basis where they are in receipt of pay protection, to review progress towards finding a post at the old grade.

4.2 The Individual must:

- Be proactive in searching for suitable opportunities within the Trust and other accessible NHS organisations, recording their activity on a 'Job Search Diary' (See Appendix 3).
- Keep your substantive line manager updated on with posts you are considering.
- Prepare applications in a timely manner seeking appropriate support if required and attend for interviews / matching meetings (or any other relevant selection activities) as required.

4.3 The HR representative must:

- Maintain an up to date Trust Redeployment or 'At Risk' Register (Redeployment Register)
- Make employees on the Redeployment Register together with their Line Manager, aware of suitable vacancies, where requested advising on interview preparation and arranging preferential interviews / matching meetings as appropriate.
- Ensure that those on the Redeployment Register are given first priority for advertised jobs (See Section 5.2).
- Where requested provide relevant support to candidates in the use of NHS Jobs and in completing applications.
- Confirm offers of suitable employment, if appropriate, and details of any trial period.
- Inform the Substantive Manager at the end of the redeployment period if no suitable posts have been found and what, if any, posts have been identified as suitable during the process and the actions taken.

4.4 The Recruiting Manager must:

- Give employees on the Redeployment Register priority for interviews / matching meetings and appoint the candidate unless there are criteria that they do not meet.
- Confirm to their HR representative when a trial period has been completed successfully.
- Provide written objective reasons why an individual was not successful following either a review of their application, a matching meeting, or the appropriate trial period. At the application review and/or interview stage, this should be in the format of precisely which criteria on the person specification the candidate did not meet.

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5 Guideline

5.1 Principles

- The responsibility for ensuring successful redeployment rests with all parties.
- Any additional costs arising from the redeployment e.g. pay protection, new training etc. will be borne by the Exporting department.
- Full financial responsibility for the displaced member of staff will rest with the Exporting department until successful redeployment.
- Departments with suitable vacancies for which the individual is qualified will be required to give preferential interview status to the candidate.
- Staff will be granted a minimum of a 4 week work trial period. The four week trial period can be extended by agreement by a further 2 weeks unless it can be justified, for example to attend training, for this to be increased further.
- Redeployment candidates will be required to meet the performance and attendance standards of the new position after a suitable period of induction and allowing for any adjustments that have been agreed.
- Managers should take into account of appropriate medical advice with regard to reasonable adjustments required or suitable duties for staff being redeployed for reason of ill health or disability.
- Candidates who are on the redeployment register because of organisational change will be expected to make themselves available for any short term or temporary posts for which they are suitable whilst waiting for a permanent post to arise.
- Candidates who do not make reasonable efforts to secure suitable alternative employment may forfeit their entitlement to redundancy pay or pay protection, if appropriate.

5.2 Redeployment Process

All vacancies will be subject to review by the Workforce Advisory Service before being advertised to consider the potential suitability of the vacancy for redeployment through the Vacancy System. Posts identified as potential redeployment opportunities will be taken out of the recruitment process until redeployment has been fully explored. The Workforce Advisory Service will contact the recruiting manager to advise that the post has been placed on hold pending enquiries with potential suitable redeployees.

Staff on the redeployment register will be assessed as being suitable for a vacancy if the employee meets the essential criteria on the person specification, allowing for reasonable training and also reasonable adjustments where the employee is considered to have a Disability in accordance with the Equality Act 2010 (Crown, 2010).

When the Workforce Advisory Service identifies a potential suitable post, this will be sent to the substantive manager and the employee. The employee should then make contact with the Recruiting Manager to arrange a meeting with a view to starting a work trial if both parties agree.

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Where redeployment is on medical grounds, management should request medical advice through the Occupational Health Department. This must also be requested where there is a substantial change in the type or nature of the work undertaken or where it is beneficial to seek medical advice, taking into account the date of the original health clearance.

Redeployment opportunities will be sought at the employee's substantive pay band. However, if there are no posts identified at the substantive pay band, posts at different pay bands maybe considered in agreement with the employee and taking into consideration the amount and duration of pay protection if applicable. In the event of an employee being redeployed and having their pay protected, suitable alternative employment at their protected salary must continue to be sought by all parties during the protection period (BTHFT - Procedure, 2010).

When a suitable vacancy has been identified, employees would be expected to begin a work trial as soon as practicable, unless they notify HR within 5 working days providing a justifiable reason as to why it is not suitable. If a work trial requires a DBS, then this will not proceed until one has been received (BTHFT - Procedure, 2016).

Where a number of redeployees are identified as equally suitable for a post, selection for redeployment will be open to competition. Each employee will be interviewed and the successful candidate will be offered a 4 week trial period as outlined above.

Commencement of a 4 week work trial is for the benefit of the employee and the Department. Objectives and success criteria for the trial period must be set and agreed between the employee and the Recruiting Manager prior to the trial period and assessed at weekly meetings. Where the role is part time, consideration must be given to increasing the trial period to ensure equity.

The work trial must be reviewed at the end of the designated trial period and the employee will be offered the post if the trial objectives are met. The work trial may be extended at the discretion of the Recruiting Manager, taking into account local induction regimes.

If the work trial is deemed successful by the Recruiting Manager, the redeployment will be deemed a suitable alternative role, unless the member of staff provides justifiable reasons as to why the post is not suitable.

If an employee rejects the offer of a suitable alternative role without a justifiable reason, the employee may forfeit their right to a redundancy payment, where applicable.

The 'at risk' process will last up to a period of 12 weeks, in this time an employee may undertake more than 1 work trial. There may be some circumstances where, by mutual agreement the 12 week period will be extended.

Employees may undertake up to a maximum of 3 trials over the 12 week at risk period (given that each trial may last up to 4 weeks). If an employee rejects a work trial without a justifiable reason, the employee would be invited to attend a review hearing.

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In all cases it is the Recruiting Managers' responsibility to notify the employee, arrange the necessary paperwork including completion of the assignment change form and agree set objectives and a personal development plan for the next 12 months.

If an employee is redeployed to a post of fewer hours than they are currently contracted for, and therefore receive pay protection in accordance with the Trusts Protection of Pay Policy (BTHFT - Procedure, 2010), they must work their original hours until the time limited period of protection ceases, with the additional cost met by the Exporting department.

Where a candidate is judged to be unsuitable following the work trial period, the post will be offered as a suitable redeployment position to the next most suitable candidate in the selection process.

An unsuccessful work trial applicant must be informed of the criteria, which he/she has been unable to fulfil, and counselled on their performance throughout the redeployment process. This action must be undertaken by the Recruiting Manager responsible for filling the vacancy and a copy of the person specification and selection notes will be retained on the individual's personal file.

Following a period of 12 weeks, or earlier if agreed, from the date of being placed on the redeployment register, a final review meeting must be arranged or on the grounds of ill health capability, a Stage 3 Attendance Review Hearing. In all instances a panel together with a representative from the Workforce Advisory Service, the Line Manager and employee will be in attendance. In cases of Disability this period may be extended as a reasonable adjustment.

Employees will be invited to the review meeting or hearing, accompanied if they wish, by a trade union representative or a work colleague. The Exporting manager who holds the substantive post will lead the discussion/hearing and each case will be assessed on its merits, with the aim of reviewing the options available. At this meeting, consideration will be given to termination of employment, the grounds of which will form part of the discussion.

6 References and Associated Documents

BTHFT - Procedure, 2010. *Protection of Pay*. [Online]
Available at: <http://fcsp.xfyldecoast.nhs.uk/trustdocuments/Documents/CORP-POL-211.docx>
[Accessed 13 01 2020].

BTHFT - Procedure, 2016. *Creating a Diverse Workforce – Supporting Staff with a Disability*. [Online]
Available at: <http://fcsp.xfyldecoast.nhs.uk/trustdocuments/Documents/CORP-POL-222.docx>
[Accessed 13 01 2020].

BTHFT - Procedure, 2016. *Employment Checks - Disclosure and Barring Service (DBS) Policy*. [Online]
Available at: <http://fcsp.xfyldecoast.nhs.uk/trustdocuments/Documents/CORP-POL-571.docx>
[Accessed 13 01 2020].

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BTHFT - Procedure, 2017. *Organisational Change and Redundancy Policy*. [Online]
Available at: <http://fcsp.xfyldecoast.nhs.uk/trustdocuments/Documents/CORP-POL-255.docx>
[Accessed 13 01 2020].

BTHFT - Procedure, 2018. *Attendance Management Policy*. [Online]
Available at: <http://fcsp.xfyldecoast.nhs.uk/trustdocuments/Documents/CORP-POL-011.docx>
[Accessed 13 01 2020].

BTHFT - Procedure, 2019. *Performance Management*. [Online]
Available at: <http://fcsp.xfyldecoast.nhs.uk/trustdocuments/Documents/CORP-POL-517.docx>
[Accessed 13 01 2020].

Crown, 2010. *Equality Act 2010*. [Online]
Available at: <http://www.legislation.gov.uk/ukpga/2010/15/contents>
[Accessed 13 01 2020].

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Appendix 1: Aspirational Interview

Date and Time of Interview:

Venue:

Dear

I would be very grateful if you could attend an aspirational interview on the above date. A trade union representative or work colleague may be present at the interview, if you wish (to be arranged by yourself).

Purpose of aspirational interview

An aspirational interview is offered to all employees who are potentially without employment through no fault of their own, for example as a result of restructuring, organisational change, ill health, disability or due to a lack of capability to perform their current role. In circumstances such as these, the Trust is committed to working in partnership with staff and their representatives to find suitable alternative employment. Prior to your aspirational interview, you will be asked to provide personal details including qualifications and present employment details.

Line Manager Responsibility

It is the Line Manager's responsibility to explain the reason for the aspirational interview and to offer support and guidance. During the aspirational interview, together with the employee, a series of questions will be asked that will provide information required for the redeployment register and finding suitable alternative employment.

Human Resources Responsibility

HR will provide advice, guidance and support to both the Line Manager and the employee. Staff that are considered to be at risk of redeployment will have their names registered on a redeployment database which will be accessed only by the HR Department. This information will be used for the purpose of finding suitable alternative employment for candidates, and will consist of the information you give in your interview.

When HR identifies a suitable post, employees will be contacted to arrange a meeting with the prospective Appointing Manager with a view to starting a work trial.

Employee responsibility

Responsibility is held with yourself to provide accurate information at the aspirational interview in order to help find alternative suitable employment. The employee is required to make enquiries following up any advertised vacancies, prepare applications for vacant posts, respond timely once suitable vacancies are identified by the HR team, prepare for interviews and other selection processes and actively seeking opportunities for retraining and/or redeployment.

If you have any questions or concerns prior to your interview, please contact your Line Manager or Human Resource Manager (input name and extension number)

Line Manager

Date

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Appendix 2: Aspirational Interview – 4 part document

1. Background information

Please complete part 1 of this form and bring it with you when you attend for your interview.

If you have any questions or concerns prior to your interview please contact your Line Manager or the Human Resources Department.

Part 1

Personal Details - please complete the following information about you.

Surname:	First Name(s)
Contact Address:	Contact Numbers: Home: Work: Mobile: Email:

Qualification Details – please complete the following information including grade.

Employment Details – please complete the following information about your employment with the Trust.

1 Base (e.g. Victoria Hospital):	2 Department
3 Directorate	4 Division
5 Trust Start Date:	6 Length of NHS Service:
7 Post Title:	8 Agenda for Change Banding:
Is your post: Full Time <input type="checkbox"/> Part Time <input type="checkbox"/>	Were you redeployed into this post ? Yes <input type="checkbox"/> No <input type="checkbox"/>
Is there any Existing Pay Protection in place for this post: Yes <input type="checkbox"/> No <input type="checkbox"/>	If yes when is this due to come to an end?

Appendix 2: Aspirational Interview – 4 part document			
PART 2 – TO BE FILLED IN WITH LINE MANAGER			
Please describe your current work pattern with approximate times.			
Week 1	Week 2 (if applicable)		
Monday	Monday		
Tuesday	Tuesday		
Wednesday	Wednesday		
Thursday	Thursday		
Friday	Friday		
Saturday	Saturday		
Sunday	Sunday		
Are you willing to change your current work pattern? Yes <input type="checkbox"/> No <input type="checkbox"/> If yes please indicate below when you are available to work			
	AM	PM	EVENING
Monday			
Tuesday			
Wednesday			
Thursday			
Friday			
Saturday			
Sunday			
COMMENTS			

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Appendix 2: Aspirational Interview – 4 part document

Part 3 Operational Summary

Employee Name **Area of Work / Base**

Manager completing Interview..... **Date of Completion.....**

3.1	Key Skills	
3.2	Key Experience	
3.3	Key Strengths	
3.4	Previous employment experience	
3.5	Would you consider a career change?	

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Appendix 2: Aspirational Interview – 4 part document

3.6	What key transferable skills do you have to facilitate a career change?	
3.7	What development needs would you need to support a career change?	
3.8	Do you need additional support with regard to disability needs?	
3.9	Further comments needed to be taken into consideration:	

Managers Signature

Employee Signature.....

Date.....

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Appendix 2: Aspirational Interview – 4 part document

Part 4 Summary of Identified Development Needs

Development Need	Action to be Taken	By Whom

Managers Signature

Employee Signature.....

Date.....

Appendix 3: Job Search Diary

Job Search Diary

Detail below the jobs that you have reviewed and provide an update as appropriate:

Name: _____ Current Job Title: _____ Current Department: _____

Job Reference Number	Job Title	Grade / Band	Department	Date applied	Date of Interview / matching meeting	Outcome

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Appendix 4: Equality Impact Assessment Form					
Department	HR	Service or Policy	Redeployment	Date Completed:	April 2019
GROUPS TO BE CONSIDERED Deprived communities, homeless, substance misusers, people who have a disability, learning disability, older people, children and families, young people, Lesbian Gay Bi-sexual or Transgender, minority ethnic communities, Gypsy/Roma/Travellers, women/men, parents, carers, staff, wider community, offenders.					
EQUALITY PROTECTED CHARACTERISTICS TO BE CONSIDERED Age, gender, disability, race, sexual orientation, gender identity (or reassignment), religion and belief, carers, Human Rights and social economic / deprivation.					
QUESTION	RESPONSE		IMPACT		
	Issue	Action	Positive	Negative	
What is the service, leaflet or policy development? What are its aims, who are the target audience?	Redeployment Policy for all employees				
Does the service, leaflet or policy/ development impact on community safety • Crime • Community cohesion	No				
Is there any evidence that groups who should benefit do not? i.e. equal opportunity monitoring of service users and/or staff. If none/insufficient local or national data available consider what information you need.	No				
Does the service, leaflet or development/ policy have a negative impact on any geographical or sub group of the population?	No				
How does the service, leaflet or policy/ development promote equality and diversity?	It offers all employees equal opportunity for redeployment				
Does the service, leaflet or policy/ development explicitly include a commitment to equality and diversity and meeting needs? How does it demonstrate its impact?	Yes, the Equality Act is followed				
Does the Organisation or service workforce reflect the local population? Do we employ people from disadvantaged groups	N/A				
Will the service, leaflet or policy/ development i. Improve economic social conditions in deprived areas ii. Use brown field sites iii. Improve public spaces including creation of green spaces?	N/A				
Does the service, leaflet or policy/ development promote equity of lifelong learning?	N/A				
Does the service, leaflet or policy/ development encourage healthy lifestyles and reduce risks to health?	N/A				
Does the service, leaflet or policy/ development impact on transport? What are the implications of this?	N/A				
Does the service, leaflet or policy/development impact on housing, housing needs, homelessness, or a person's ability to remain at home?	N/A				
Are there any groups for whom this policy/ service/leaflet would have an impact? Is it an adverse/negative impact? Does it or could it (or is the perception that it could exclude disadvantaged or marginalised groups?	No				
Does the policy/development promote access to services and facilities for any group in particular?	No				

Appendix 4: Equality Impact Assessment Form				
Does the service, leaflet or policy/development impact on the environment	No			
<ul style="list-style-type: none"> • During development • At implementation? 				
ACTION:				
Please identify if you are now required to carry out a Full Equality Analysis	Yes	No	(Please delete as appropriate)	
Name of Author: Signature of Author:		Date Signed:		
Name of Lead Person: Signature of Lead Person:		Date Signed:		
Name of Manager: Signature of Manager		Date Signed:		

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