

# Redeployment Policy and Procedure

June 2018

## Policy Control

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<b>Approving Bodies</b>	HR Committee, Board of Governors
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<b>Supersedes</b>	September 2012
<b>Supporting policies</b>	Redundancy Policy & Procedure
<b>Review date</b>	June 2021
<b>Author</b>	Emma Bullen
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<b>Benchmarking</b>	University of Aberdeen, Abertay University, University of Dundee, University of Edinburgh, University of Glasgow, University of St Andrews

## **1. PURPOSE AND SCOPE**

It is the aim of the Glasgow School of Art (GSA) to ensure, as far as possible, security of employment for its staff. GSA will therefore make all reasonable efforts to seek redeployment opportunities for members of staff at risk of redundancy or those who are required to move role for other reasons outlined under section 2 below.

This policy will not apply to those who are seeking a new job, change of career, or their employment is not at risk of coming to an end.

This policy is designed to ensure a consistent and fair approach is adopted in working towards a successful redeployment outcome where possible.

## **2. REASONS FOR REDEPLOYMENT**

There may be a number of reasons where staff may seek to be redeployed. Circumstances will include the following:

### **2.1 For the purposes of avoiding redundancy**

Members of staff will be considered for redeployment during the redundancy consultation process, i.e. after they have been formally notified that they are at risk of redundancy.

- According to the statutory definition, as set out in the Employment Rights Act 1996, a redundancy occurs where a dismissal is wholly or mainly because:
- The employer has ceased, or intends to cease, to carry out their business for the purposes for which the employee is employed
- The employer has ceased, or intends to cease, to carry on that business in the place where the employee was so employed
- The requirements of that business for employees to carry out work of a particular kind have ceased or diminished or expected to do so
- The requirements of the business for employees to carry out work of a particular kind in the place where they were so employed have ceased or diminished or are expected to do so

Practical examples of when redundancy can occur include:

- The closure of a Department
- The discontinuance of a course, pathway or programme

- Becoming displaced, following the outcome of a restructuring exercise and having been unsuccessful in obtaining a post in the new structure

## **2.2 End of fixed term contracts**

When an employee's fixed term contract is coming to an end, and there is no suitable alternative employment, the employee will be considered under the Redeployment Policy.

## **2.3 Medical Circumstances**

Where GSA has received medical evidence which states that an individual is unable to perform their current duties, but may be able to carry out other duties in an alternative post.

## **2.4 Other**

There may be exceptional circumstances when it is appropriate to consider an individual for redeployment which do not fall within any of the circumstances described. These could include possible and/or partial outcome of Grievance, Employee Support, Disciplinary, Capability and Dignity and Respect at Work Procedures. HR will determine whether redeployment consideration may be appropriate in any such exceptional cases ensuring that due consideration is given to the individual's case, through appropriate dialogue with the individual and line management.

## **3. TYPES OF REDEPLOYMENT**

For the purposes of redeployment, GSA has identified two possible redeployment scenarios that may arise as follows:

### **3.1 Suitable Alternative Employment**

GSA will seek to identify and offer individuals at risk of redundancy suitable alternative employment if available.

Suitable alternative employment is generally defined as the offer of a post, which is the same or broadly similar to that currently held by the individual in terms of key tasks; the skills and competencies required; the grade; and with equivalent terms and conditions, thus making it a suitable alternative role. If a member of staff *unreasonably* refuses an offer of suitable alternative employment they could be at risk of losing any entitlement to statutory redundancy pay<sup>1</sup>.

Redeployment to a lower grade would not be deemed 'suitable alternative employment'.

There are two key considerations when assessing 'suitable alternative employment':

- Is the job offer a suitable alternative?

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<sup>1</sup> s.141 of the Employment Rights Act 1996

- Is the employee unreasonable to refuse the offer?

The first point is largely objective, albeit that the position must be suitable bearing in mind the tasks, skills, competencies and experience required as well as the related terms and conditions. The second point is based on whether the employee has sound reasons for refusing the offer. Whether it is reasonable for the employee to reject the offer should be assessed subjectively and considering the individual's personal circumstances. Factors to be taken into consideration may include for example pay, loss of status, loss of fringe benefits, place of work, general terms and conditions, job prospects, wages, hours, location, and job content along with an individual's personal circumstances.

Even if an offer of alternative employment is objectively reasonable, the employee can still be reasonable for refusing it provided they do so for sound and justifiable reasons. It does not matter if another employee may have accepted the offer. GSA will therefore consider the circumstances and not unreasonably refuse entitlement to redundancy pay in these cases.

### **3.2 Alternative Employment**

Alternative employment is defined as a role which differs significantly to the role that the member of staff is currently employed within. It may be at a different grade with different terms and conditions e.g. pay, hours, location of the role.

Staff may require some support in the form of training and development to enable them to successfully move into such a role.

'If 'alternative employment', not deemed 'suitable' is offered, it will be open to the employee to decline the offer without forfeiting their entitlement to redundancy pay.'

## **4. REDEPLOYMENT OPPORTUNITIES**

GSA is committed to making every reasonable effort possible to enable staff in a redeployment situation to continue their career with GSA. Posts that are in the process of being advertised or are advertised can be considered for redeployment opportunities.

Where a post has already been advertised but no appointment has yet been made, affected individuals who have expressed an interest will be considered before any other candidates.

Where HR has been notified of an impending vacancy which has yet to be advertised, the relevant recruiting manager will be advised if there are any staff being considered for redeployment and these individuals should have priority consideration before any other candidates.

## **5. PROCESS OF REDEPLOYMENT**

Where a member of staff is eligible to be considered for redeployment, the following procedure will be instigated. This is also illustrated in the Redeployment Procedure flowchart (Appendix 1).

- The affected member of staff will be contacted by HR explaining that they are eligible to be considered for redeployment and will be referred to the Redeployment Policy and current and forthcoming vacancies available within GSA. A meeting will be arranged by HR with the affected individual to explain the policy in more detail and to provide an opportunity for the individual to raise any questions. The line manager may also be present at this meeting.
- The member of staff will be asked if they wish to be considered for any of the vacancies listed. If they do, an initial meeting will be arranged with the member of staff, the relevant recruiting manager and HR. The initial meeting will enable the employee to gain further details of the vacancy and inform if they possess the key requirements to carry out the job, i.e. skills, qualities and experience. If, after the initial meeting, the individual wishes to be considered for the position, they will be required to apply via the normal application procedure, and an interview will be arranged. A staff member being considered for re-deployment should have priority consideration before all other candidates.
- If no vacancy on the list is deemed suitable by the individual, they will be asked to complete a Redeployment Form (Appendix 2). This will provide the individual with the opportunity to indicate the type of roles for which they wish to be considered. A CV may also be included along with the re-deployment form and added to the re-deployment register, where a central record will be held by HR.
- Submitted forms will be held centrally by HR so that affected members of staff can be both alerted to, and if appropriate, considered for all relevant vacancies that arise.
- Upon receipt of a request to advertise a post by an Authority to Appoint Form (ATA), HR will review the Redeployment Forms held centrally to determine if any members of staff have asked to be made aware of the position based on the criteria they provided on the Redeployment Form. If HR determines that there is a potential match between the chosen criteria outlined in the form and an arising vacancy, the post will be drawn to the attention of the relevant member/s of staff. The individual/s will then be given priority consideration for the vacancy.
- Where one or more affected individual indicates an interest in a role and provided they meet the essential criteria established through the initial meeting with the recruiting manager, HR and the individual they will be invited to interview for the role. Where no suitable applications are received, or no appointment can be made then the role will be advertised.
- Where a member of staff is successful in securing an alternative role, they will receive a new contract of employment with relevant continuity of service.
- If an individual is deemed unsuitable at interview, the individual may request feedback on the reasons for this so as to assist the individual in future applications. Specific questions regarding a particular vacancy will normally be re-directed to the relevant recruiting manager for feedback.
- Members of staff can raise questions on the process with their line manager or a member of the HR team.

## **6. TRAINING AND DEVELOPMENT**

Where the recruiting manager considers training is required to up-skill the member of staff to undertake the alternative role, reasonable support for this will be offered where it is likely that, with this training, the member of staff would be fully operational to undertake all aspects of the role within a period of 12 weeks or less. Training may be via a combination of in-house or external providers.

## **7. TRIAL PERIODS**

The purpose of a trial period is to give both parties the opportunity to assess the individual's suitability in the role. Where the recruitment process has highlighted a possible skills gap, the role may be offered on the basis of satisfactory completion of the trial period. This will normally be for 4 weeks but can be extended, if appropriate, for training, up to a maximum of 12 weeks at the discretion of the recruiting manager.

In the case of alternative employment offered as an alternative to redundancy there is the right to a 4 week statutory trial period. Whilst the statutory period is 4 weeks this can be extended if appropriate, for training, up to a maximum of 12 weeks at the discretion of the recruiting manager.

At the end of the trial period, a meeting will be arranged with the member of staff, the recruiting manager and Human Resources to review the individual's suitability in the role. Where the appointment cannot be confirmed alternative arrangements will be discussed with the member of staff. For example where redeployment cannot be confirmed e.g. during the redundancy consultation process dismissal by reason of redundancy may be a possible outcome or re-deployment opportunities will continue to be sought through the re-deployment register.

## **8. PAY AND CONDITIONS OF SERVICE**

While the member of staff is being considered for redeployment, their grade, salary and conditions of employment will remain at the level of their substantive post. Redeployment offers for roles will be made at the grade and conditions of service attached to the new post and will be confirmed in writing. In order to minimise the impact of a reduction in pay when moving to a lesser grade role, a period of pay protection of twelve months will be considered in these circumstances. Where the new role is for short term duration, the terms applicable to the particular appointment will be advised in writing as part of the offer.

## **9. NOTICE PERIODS**

GSA will continue to explore redeployment opportunities for affected staff who are working their period of notice up to their anticipated date of leaving.

## **10. APPEALS PROCEDURE**

Where a member of staff believes that the Redeployment Policy has been unfairly applied in their case, they should raise this immediately with their line manager. If they subsequently wish to formally appeal, this should be detailed in writing to the Head of Human Resources within 10 working days of receiving notification of the final decision. The decision of the appeal will be final.

## **11. MONITORING**

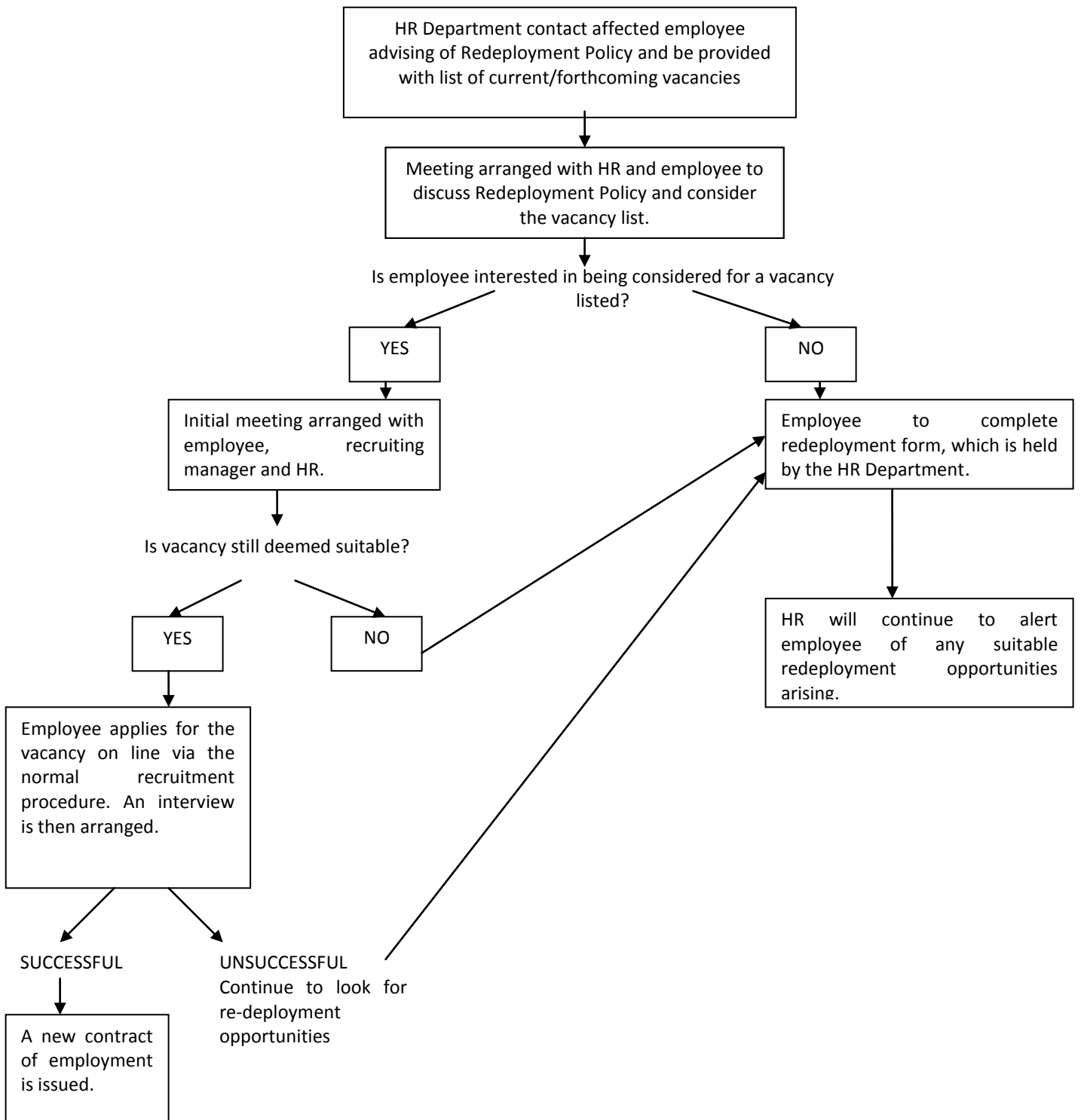
This policy will be monitored and reviewed regularly to ensure that it meets the needs of the School and its staff and to ensure compliance with relevant legislation.

## **12. STAFF SUPPORT**

Any staff members who are subject to the provision of this policy may seek advice from their line manager and the HR team. Details of available support are outlined in appendix 3.

# REDEPLOYMENT PROCEDURE FLOW CHART

## Appendix 1





**1. Personal Details**

Name:		Department:	
Job Title:		Grade:	
Email address for correspondence:			

**2. Current Role**

Line Manager:	
Work Pattern: e.g. days/ hours	
Approx. no of weekly hours:	
Key Responsibilities:	(CV can also be attached to form)
1.	
2.	
3.	
4.	
5.	
Please tick the following box if you wish to submit additional information relevant to your redeployment application not already covered in the sections above	

**3. Redeployment Role Preferences**

Please tick as appropriate

Do you wish to be considered for posts which would involve an increase or reduction in working hours?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Would you consider a fixed-term post?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Would you consider a post on a lower grade?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Would you wish to be considered for posts within a different job category to your current role (e.g. Academic to Support)?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
If yes, please select the Staff Categories you would be willing to consider:		
Academic <input type="checkbox"/>	Professional Support <input type="checkbox"/>	Technical <input type="checkbox"/> Maintenance/Estates <input type="checkbox"/>

**4. Additional Information Relevant to Redeployment (including relevant skills and training etc.)**

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**Signature:** \_\_\_\_\_

**Date:** \_\_\_\_\_

Below are some examples of the support measures available to individuals.

- Best practice advice on writing a cv
- Best practice advice on interview preparation
- Redeployment Policy and Procedure – redeployment register
- Signposting to other useful sources on information:
  - **PACE** (Partnership Action for Continuing Employment) is a free Scottish Government scheme dedicated to providing information, advice and guidance to individuals who are potentially at risk of redundancy.
  - **Direct Gov**
  - **Citizens Advice**
  - **Online job boards**