

Redeployment Policy Police Staff

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Compliance with Legislation	<input checked="" type="checkbox"/>
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Freedom of Information issues	<input checked="" type="checkbox"/>
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Risk Management	<input checked="" type="checkbox"/>

Important notice: During times of national emergency or pandemic, the head of HR will approve relevant and necessary changes to policy and process to allow the spirit of the policy to be maintained whilst caring for and supporting our people.

1. Policy statement

Cleveland Police aims to provide a stable work environment and security of employment for all staff. However, it is recognised that there may be circumstances which arise where changes due to the economic climate in which the organisation operates, changes in technology, and organisational requirements and other similar circumstances which necessitate a need to reduce staffing levels, may lead to subsequent redundancies. In this situation all eligible employees will be offered the option of redeployment within the organisation.

The procedures set out in this document apply to all police staff; including those employed by the Police and Crime Commissioner for Cleveland.

This policy must be applied fairly, equally and consistently to all employees irrespective of age, disability, gender reassignment, marriage or civil partnership, pregnancy and maternity, race, religion or belief, sex, sexual orientation or any other unjustifiable grounds.

2. Purpose

The following procedure sets out the action(s) to be taken by line managers and individuals when undertaking a period of redeployment.

Cleveland Police through its redeployment policy and procedure will endeavour to find individuals affected by redundancy, suitable alternative posts within the organisation wherever possible.

No vacant posts will be externally advertised until redeployment and internal advertising has been exhausted.

3. Underpinning procedures

3.1 The Redeployment Register

Police staff may be identified for placement on the redeployment register for the following reasons:

- Redundancy;(the redundancy policy should also be read in conjunction with this policy)
- Re-organisation;
- End of fixed term contracts (on and after 24 months continuous service);
- Other substantial changes/reasons to which an employee cannot reasonably be expected to comply;
- Medical reasons (see section 3.13 for further details);
- As a result of a return from a career break (on and after a 12 months career break);
- As a result of disciplinary action as an alternative to dismissal;
- As a result of capability action as an alternative to dismissal;

- Failure to attain and/or maintain the required level of security clearance in accordance with the Cleveland Police vetting policy.

The redeployment register is not available for police staff who simply wish to change their job. Staff will be redeployed into their own organisation and are not eligible for redeployment into another Employer.

Police Staff redeployed / considered for redeployment will have the right to be accompanied by their trade union representative or a work colleague at any time during the redeployment process.

A flowchart for the redeployment process is attached to the policy as Appendix 1.

3.2 Maintenance of the Redeployment Register

All eligible police staff in the organisation which are under notice of redundancy will be placed on the Redeployment Register. People Services are responsible for ensuring that these individuals are recorded on the register, which is held by the People Services team. People Services will maintain a 'redeployment register' to hold the following information on each individual:

- Details of current job;
- Details of previous posts held (internal and external);
- Training courses attended;
- Qualifications gained;
- Attendance record;
- Medical information (if appropriate);
- Involvement in projects or working parties;
- Voluntary work;
- Skills/experience/special aptitudes;
- Evidence of performance (from Performance Development Review);
- Any other pertinent information which a member of police staff wishes to be included.

The individual may have their skills and abilities identified through the use of assessment tests, either internal or external, where appropriate.

3.3 Notification of placement on the Redeployment Register

Police staff will be notified in writing of their placement on the redeployment register, detailing the reason.

All individuals notified of being "at risk" of redundancy will complete an electronic form to provide information of their skills and working experience. This is to ensure that once a decision is made with regards to redundancy, time is not lost on the register waiting while individuals complete this. Those individuals who are removed from "at risk" status will have the electronic form destroyed. Once on the redeployment register assessment tests, counselling or training, may be offered to help the individual(s) concerned. Time off will be granted for interviews (internal and external), assessment tests, counselling, and training in line with statutory legislation.

3.4 Ring-fencing or pooling of posts

Where a re-organisation takes place within a specific unit which results in a small number of positions being available for a large number of affected police staff, the ring-fencing of posts will apply in the following way:

- Staff in the affected posts will be given priority application status over other individuals within the Redeployment Register and may have to reapply for the remaining posts if this is the determined redundancy selection method and criteria;
- The unsuccessful staff will then be considered for wider redeployment opportunities;
- If any posts still remain vacant, these posts will be opened up for other individuals on the Redeployment Register within the organisation to apply for;
- Ultimately, if any post still remains vacant, it will then be opened up to normal competition.

For all interviews carried out under the circumstances described above, either a HR representative or an independent member from another department will be present on the interview panel.

3.5 Protocol for handling vacancies for staff on Redeployment

The following process will be adhered to for police staff who are on the Redeployment Register:

3.5.1 Vacancies of a higher grade:

Police staff on the redeployment register can apply for vacancies at a higher grade than their role in the normal manner as outlined in the recruitment and selection policy. This will also apply to posts with a linked grade where the top of the scale exceeds the present salary of the person on redeployment.

The individual will not receive preferential treatment for such posts which will be open to normal competition across the organisation.

This process will also be utilised for police staff on redeployment where the individual is graded e.g. PO1, but the post on redeployment is graded higher at PO1-8.

3.5.2 Vacancies of the same grade:

These vacancies will be forwarded in the first instance to the appropriate police staff on the redeployment register by an appropriate representative of People Services e.g. those police staff on the same grade.

Based upon the information supplied via the redeployment skills matrix and the job description for the role, a representative from People Services will decide whether the individual meets 70% or more of the essential criteria of the post. If the Representative does not feel that the individual has demonstrated that they meet 70% or more of the essential criteria, the individual will not be interviewed before other applicants. Feedback will be provided to the individual. This will also apply if the role

requires a specific qualification or experience that it would not be possible to demonstrate or attain in the trial period.

If the position is not filled from the redeployment register and advertised to open competition the individual will still be eligible to apply for the position.

If the individual meets the 70% essential criteria rule **and** is deemed capable of undertaking all the duties to a fully acceptable level of performance, via a formal interview, he or she will be offered the job on a 4 week trial period.

This principle will apply whether or not it is considered that a better candidate might have been found had the job been more widely advertised.

If there is more than one employee on the redeployment register who is deemed suitable for a particular vacancy, the selection will be on the basis of competition between these employees.

3.5.3 Vacancies of a lower grade:

These vacancies will be forwarded in the first instance to the appropriate police staff on the redeployment register by an appropriate representative of People Services.

Based upon the information supplied via the redeployment skills matrix and the job description for the role, a representative from People Services will decide whether the individual meets 70% or more of the essential criteria of the post. If the Representative does not feel that the individual has demonstrated that they meet 70% or more of the essential criteria, the individual will not be interviewed before other applicants. Feedback will be provided to the individual. This will also apply if the role requires a specific qualification or experience that it would not be possible to demonstrate or attain in the trial period.

If the position is not filled from the redeployment register and advertised to open competition the individual will still be eligible to apply for the position.

If the individual meets 70% or more of the essential criteria **and** is deemed capable of undertaking all the duties to a fully acceptable level of performance, via a formal interview, he or she will be offered the job on a 4 week trial period.

This principle will apply whether or not it is considered that a better candidate might have been found had the job been more widely advertised.

If there is more than one employee on the redeployment register who is deemed suitable for a particular vacancy, the selection will be on the basis of competition between these employees.

Should police staff on the redeployment register refuse to apply for a post(s) deemed a suitable alternative by the employer, they will then be formally advised in writing of the implications of not applying for a suitable alternative post (refer to section 3.8 for further information).

3.6 Formal Interview protocol

A formal interview will be conducted in all cases of redeployment, with the panel consisting of three members including the line manager of the vacant post and either a representative from People Services or an independent member from outside the department. The individual will receive a letter inviting him/her to interview. If the post is normally recruited to by using assessment tests, these will also be included in the selection process, with the individual advised accordingly prior to interview.

In the event that more than one re-deployed candidate assessed for a vacancy meets the minimum standard, the individual who scores most highly within a competitive interview process will be recommended for offer of a trial period. The outcome from the interview will be communicated via letter.

3.7 Suitable alternative posts

In general, an alternative post will be considered suitable if it:

- Provides current earnings and/or the basic salary difference between the individual's current role and the redeployed role is no more than one scale (excluding allowances) lower;
- Is within the employee's capability with a reasonable amount of retraining (4 weeks generally, however, in exceptional circumstances up to a maximum of 8 weeks (see 3.11);
- Does not involve unreasonable additional inconvenience.

Where an individual is disabled under the Equality Act 2010, reasonable adjustments which would allow him/her to undertake the role must be taken into account when exploring whether a post is suitable alternative employment.

3.8 Refusal of a suitable alternative post

If an employee does not want to be considered for, or accept a post which the organisation considers to be suitable (after taking into account such factors such as earnings, etc.) they must write to the relevant People Services representative stating why they consider the post to be unsuitable.

Where the Representative subsequently finds that the post is suitable, he/she will advise the individual in writing that they may lose any entitlement to a redundancy payment by refusing to apply or accept such a post. If the individual continues to believe the post to be unsuitable the Representative will defer the issue to the Head of Human Resources or a nominated Deputy for determination.

Where the Head of Human Resources or a nominated Deputy considers that an offer of suitable alternative employment has been unreasonably refused the individual will be advised in writing, and that as a consequence, the individual may lose their right to redundancy pay. This is in accordance with the Employment Rights Act (1996) s.141 (2).

3.9 Police staff awaiting trial periods

Whilst awaiting redeployment, an individual will be gainfully and constructively utilised within the organisation. Although there will be no guarantees, at all times appropriate consultation will take place and one of the following options sought:

- To continue in their current Command and/or Service Unit, either in their current role, or undertaking a different role;
- To undertake short term temporary postings into any area of the organisation encountering acute staff shortages;
- To undertake a period of secondment to a project or working party.

3.10 Trial period following redeployment

Where an individual has been offered a suitable alternative post, the offer is subject to a trial period of 4 weeks, with no loss of rights to redundancy pay or the application of this agreement should a job offer not be confirmed after the trial. If the employee unreasonably refuses suitable alternative employment they may lose their right to their redundancy payment.

If a line manager deems an individual unfit for redeployment into a role on a trial period then a member of People Services should be advised why it would not be appropriate to continue with the individual on the trial period.

If the employee turns down the new post before the end of the trial period, they will be placed back on the Redeployment Register (subject to appropriate period of notice remaining) and will still be considered to be redundant from the end of the original notice period.

Individuals will be subject to weekly reviews as part of the 4 week trial period. Line Managers must ensure that the Redeployment Progress Report, which is an electronic form available from the force intranet is completed at the end of each week. This information will be used to decide whether an individual has met the required standards to undertake the role on a permanent basis.

The redeployment can be terminated during the trial period by either party subject to consultation with both parties. Line Managers would have to outline the reasons to People Services for the termination of the trial period. As a result the individual would return to the redeployment register (subject to notice period) to complete the remainder of time prior to his/her dismissal.

3.11 Extension of a Trial Period

A trial period may be extended beyond 4 weeks in exceptional circumstances. Any extension would be subject to approval from the Head of Human Resources or a nominated Deputy. This will be clearly indicated in writing, with reasons as part of the initial offer.

During, or following the trial period, the Head of Command (HOC) or Head of Service (HOS) will recommend one of the following to People Services, after discussion with the individual, who will also be informed in writing:

- The trial be discontinued and the individual returned to the redeployment register if there is a period of notice remaining;
- The appointment should be confirmed and contract issued;
- The trial period to be extended from 4 weeks (in line with section 3.11) from the date of extension.

Recommendation for extension and/or cessation must be fully documented. In the event of no recommendation being made within the time limits the individual will be automatically offered a permanent contract at the 4 week stage.

3.12 A 2nd Trial Period

In the situation where a police staff member has completed almost 4 weeks of a trial period but due to issues of either conduct or capability is deemed by management unable to complete the trial, and is subsequently returned to the Redeployment Register (subject to notice period) and achieves another trial period prior to the date of termination of his/her contract on the grounds of redundancy, the police staff member will only be eligible to complete one final trial period. If the second trial period is unsuccessful then the contract of employment will be terminated on the grounds of redundancy, with any appropriate notices being amended to reflect the 2nd trial period.

3.13 Medical Redeployment

Redeployment on the grounds of medical issues shall always been considered in line with the principles laid down in the Equality Act 2010. The process for a medical redeployment shall involve a medical assessment by the force medical adviser (FMA). Following the assessment the FMA will recommend to a representative of People Services the best course of action.

If a police staff member unreasonably refuses to co-operate in providing medical evidence or to attend assessment interviews and medicals, they will be informed in writing that the organisation will base decisions on their continued employment on the evidence that is already available. Non-attendance for a medical or assessment interview could result in disciplinary action.

Wherever practical, every effort will be made to ensure an employee does not suffer a reduction in earnings as a result of medical redeployment. The welfare officer will be available to offer assistance with financial counselling and advice/guidance on benefit availability.

Staff will be placed on the list for an initial period of 12 weeks and if not redeployed or in a trial period after this period of time a review will take place, to determine next steps. Which could include if an individual cannot be placed in a suitable / unsuitable vacancy the case possibly being referred back to the FMA for advice on whether medical retirement is an option.

If circumstances indicate, that work will not become available within the redeployment period or alternative employment has not been found within the redeployment period, the Chief Constable / PCC for Cleveland reserves the right to terminate the employee's contract of employment.

When there are a number of staff on redeployment and several express an interest in a role, a competitive selection process will take place, if reasonable adjustments are required for that process then they will be made, if successful in such a scenario then prior to taking up a role discussion will take place and agreement reached on any reasonable adjustments required.

3.14 Protection of salary following Redeployment

3.14.1 Financial arrangements:

If an individual is redeployed into a suitable role, in line with the criteria set in the policy at section 3.7, there will be a period of pay protection of basic salary for a period of 12 months. At the end of the period of pay protection the individual will be placed on the top point of their allocated scale. Whilst the individual is receiving pay protection their salary will remain red circled, not attracting a cost of living rise or increment rise (whichever may be applicable).

If an individual is redeployed into an unsuitable role (drop in salary equivalent to more than one scale) then they will be paid at the spinal column point for the top of the scale (this principle applies for Career Graded posts).

3.14.2 Redeployment into a post where there is a change to allowances / enhancements:

Staff who are redeployed from a post which carried additional allowances (as detailed in the PSC National Handbook) e.g. shift allowance, weekend work enhancement etc., to a suitable alternative will receive a period of pay protection for these allowances for a period of 3 months. Market supplements will not be protected.

If an individual is redeployed into an unsuitable role (see section 3.7 for definition of a suitable alternative) all previous allowances will not be protected.

3.14.3 Redeployment into a post where there is a change of work location:

Where the organisation requires an individual to move their location of work; where the new location of work is a greater distance of travel for the individual, compared to their previous work location, the force will recompense the individual at casual user rate, for the miles travelled in excess, for a period of 12 months.

Individuals should claim the excess element of their mileage via Oracle Self Service and select the appropriate vehicle engine size. This will be paid through payroll into the individual's monthly salary. All claims should be made in a timely manner and no later than 3 months from the date of transaction. Failure to submit payments in a timely manner may result in non-payment.

3.14.4 Redeployment as part of a disciplinary sanction:

Police Staff that are redeployed from a post as an alternative to a dismissal sanction will not receive salary or allowance protection.

3.15 Responsibilities

Under the redeployment procedure there are a number of responsibilities required by all the parties concerned. They are defined below:

Redeployee

- To continue to seek work outside the scope of the redeployment procedure;

- Undertake training or re-training courses necessary to prepare for changed duties and responsibilities and assist in their redeployment;
- To attend medical assessment interviews and tests, as requested;
- To attend interviews/informal discussions;
- To attend discussions and meetings, as requested;
- To accept trial periods and give them due consideration;
- Accept reasonably comparable employment;
- To keep People Services informed if their circumstances change.

Managers

- To co-operate in efforts to place employees in suitable alternative posts;
- To ensure that staff and managers are aware of this policy and observe its provisions;
- To provide guidance, general assistance, training and induction to newly redeployed employees, including those on a trial period;
- Liaise with the People Services regarding training needs/ reasonable adjustments for the redeployee;
- Monitor the performance and progress of the redeployee during the trial period and provide counselling/action plans/support on no less than a weekly basis. A weekly assessment report must be sent to People Services;
- To provide feedback to People Services as to why an individual is unsuitable to commence employment either before or during a trial period in a suitable alternative post;
- To make a final recommendation about the suitability of an individual and advise People Services accordingly.

3.16 Other considerations

When carrying out any redeployment meeting(s), managers should ensure that no member of Police Staff is placed at a disadvantage on account of gender, race, religion or belief, sexual orientation, age, gender reassignment, marital or civil partnership status, pregnancy or maternity or disability. This means that any redeployment meeting(s) may need to be adjusted to cater to the specific needs of an individual e.g. support from a work colleague during the redeployment process for an individual as a result of a disability related illness. The nature of any reasonable adjustment(s) made for an individual should be proportionate to the required outcome(s).

3.17 Record Keeping

All records relating to the redeployment procedures must be sent to People Services to be stored on an individual's personal record in accordance with the principles laid down in the Data Protection Act.

4. Appendices

Appendix	Description
1.	Redeployment Process Flowchart

5. Compliance and monitoring

All redeployment actions will be logged and monitored by the People Services team on an ongoing basis to ensure the procedures being applied are consistent, fair, and in line with timescales outlined in the procedures.

6. Version control

This policy will be reviewed and updated at least every three years by the owner, and more frequently if necessary.

The Corporate Services Department will ensure this document is available on the Force intranet, including any interim updates.

The following identifies all version changes.

Version	Date	Reason for update	Author
0.1	01.06.11	Legislation changes	████████
1.1	Nov 2012	Policy amended to reflect introduction of PCC, statement only	████████
1.2	11.04.13	Minor amendments to policy in consultation with Unison	████████
1.3	07.10.13	Amendment to change relocation cost from public transport rate to casual user rates	████████
1.4	May 2015	Amendments to policy after consultation with key stakeholders including Unison	████████
1.5	May 2015	Policy approved at Management Board	████████
1.6	Aug 2017	Revision to remove template numbers and change of wording in paragraph 5	████████
1.7	April 2018	Para 3.13 amended	████████
1.8	Aug 2018	Para 3.1/ 3.5.2/ 3.5.3/3.13 amended slightly	████████
1.9	April 2019	Bullet point 2 in section 3.9 slightly amended	████████
2.0	Feb 2020	Change of Owner Dept Name	████████
2.1	Apr 2020	Addition of COVID 19 message	████████

Redeployment Flowchart – The Basic Principle

