



# Redeployment Procedure

## Version 3.1

<p><b>Important:</b> This document can only be considered valid when viewed on the TEAL website. If this document has been printed or saved to another location, you must check that the version number on your copy matches that of the document online.</p>	
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<p><b>Target Audience:</b></p>	<p>All staff</p>
<p><b>Associated Documents:</b>  <b>All TEAL policies and procedures referred to are located on the TEAL website, <a href="http://www.theeducationalliance.org.uk">www.theeducationalliance.org.uk</a>.</b>   <b>If English is not your first language, and you require assistance/translation, please contact the HR Department.</b>   <b>This policy has been equality impact assessed, as detailed in section 4.</b></p>	<p>Health and Wellbeing Policy  Organisational Change and Redundancy Policy  Capability Policy  Grievance Procedure  Women at Work Guidance  Domestic Abuse Guidance  Menopause Policy  Fixed-Term and Temporary Contracts Policy</p>

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## **POLICY STATEMENT**

We are here to make great schools and happier, stronger communities so that people have better lives. We do this by:

- Always doing what is right
- Trusting in each other and standing shoulder to shoulder
- Doing what we know makes the difference

Doing what is right means always acting with integrity, in the interests of others and being honest, open, and transparent.

The Education Alliance (TEAL) aims to support staff in their search for suitable alternative employment when they meet the criteria for redeployment. This procedure details the way in which redeployees will be supported in a fair, transparent, respectful, and sensitive way. This procedure should be read in conjunction with other appropriate TEAL policies and procedures, as detailed on the front page of this procedure.

### **1. PURPOSE**

The purpose of this document is to provide guidance to managers and staff on the approach we will take in redeployment situations where staff are affected by organisational change, cessation of fixed-term contracts, redundancy, or capability (including capability due to ill health). We aim to provide guidance for managers to follow which should ensure, wherever possible:

- Employee opportunities to secure alternative employment are maximised
- Employees are supported in understanding and preparing for change
- We are able to retain skills, knowledge, and experience
- TEAL meets its legal requirements and aligns with principles of good employment practice as a fair and reasonable employer
- Compulsory redundancies are regarded as a last resort and TEAL is able to avoid the costs associated with enhanced pensions and redundancy
- Employees remain flexible and adaptable, which may include employees moving to suitable alternative roles, developing new skills and knowledge

### **2. SCOPE**

This policy applies to all TEAL staff where it is identified that due to either organisational change, cessation of fixed-term contracts, maternity, redundancy or capability, staff are required to look for suitable alternative employment.

### **3. ROLES AND RESPONSIBILITIES**

The **Resources and Finance Committee** is responsible for approving this policy.

The **CEO** is responsible for ensuring this procedure is applied fairly and consistently across TEAL.

**Headteachers** are responsible for monitoring the application of this procedure within their respective schools, ensuring employees are supported effectively when faced with considering alternatives to the post they are employed to undertake and managers are actively engaged in applying this procedure fairly and consistently.

The **HR Department** is responsible for overseeing the introduction, implementation, monitoring and review of this procedure and will report to the CEO, the Executive Board, the Trust Board and Local Governing Bodies as required. The HR Department will provide advice, guidance, and support in the implementation of this procedure, acting as a point of contact for managers and staff. The HR Department will ensure that this procedure is implemented fairly and consistently, whilst also ensuring that relevant employment legislation and statutory guidance is adhered to.

**Managers** are responsible for supporting the staff they manage, providing information in a timely, open, honest, and understandable way. They must support and enable effective redeployment processes both as managers of staff affected by organisational change, redundancy, and capability, but also as managers of vacancies that may be viewed as potentially suitable alternative employment for redeployees.

**Employees** affected by change, redundancy or capability will continue to undertake their existing role throughout the period of redeployment wherever possible (with support where appropriate) and will demonstrate a commitment to undertaking the agreed learning and development associated with securing a new role. They must also agree to fully engage with the process and apply for suitable alternative employment as opportunities arise, having a flexible approach to redeployment. HR colleagues will explore with redeployees during the initial and any subsequent redeployment meetings, how the redeployee can be supported, which may include support accessed when applying for different roles and when accessing development opportunities to enable redeployees to develop new skills, as appropriate.

#### **4. EQUALITY AND DIVERSITY**

The Education Alliance is committed to:

- Promoting equality and diversity in its policies, procedures, and guidelines
- Delivering high quality teaching and services that meet the diverse needs of its student population and its workforce, ensuring that no individual or group is disadvantaged

The Protection from Redundancy (Pregnancy and Family Leave) Act 2023 came into force on 6 April 2024. From 6 April 2024 the following protections apply:

- Pregnant employees are prioritised for redeployment offers in redundancy situations from the point at which they inform the employer of their pregnancy, until 18 months after the birth of a child.
- In the sad instance of miscarriage, the protection is enacted from the point at which we are informed of the miscarriage until two weeks after the loss of the child (if the loss is before 24 weeks. Post-24 weeks stillbirths are covered by maternity rights).
- Staff taking adoption leave are prioritised for redeployment opportunities from the first day of adoption leave to 18 months after the date of the placement of the child.
- Where staff take shared leave period for six continuous weeks or more, the employee is eligible for prioritisation in redeployment offers in a redundancy situation for 18 months from the child's date of birth.

We will collate equality related data to share with trade union colleagues via the Joint Consultation and Negotiation Committee (JCNC), the Executive Team and the Resources and Finance Committee,

ensuring we monitor whether certain categories of staff, particularly staff with protected characteristics, are more frequently affected by redeployment than other staff.

## **5. PRINCIPLES OF REDEPLOYMENT**

Employees can access redeployment support when they are facing:

- Redundancy
- Organisational change which places their employment at risk of redundancy
- Capability (including ill-health)
- Cessation of a fixed term contract

Redeployment simply means that the employee is supported to seek suitable alternative employment when they are facing potential dismissal due to the reasons stated above. We encourage staff to seek support from their trade union at the earliest opportunity to ensure they are fully supported throughout the process.

In considering whether a position is suitable, the HR Department and the employee should consider the following:

- How similar is the work to the employee's current job?
- How similar are the terms of the job being offered to those of the employee's current job?
- What are the employee's skills, abilities, and circumstances in relation to the job?
- How similar is the pay (including any benefits), status, hours, and location to those related to the employee's current job?

Redeployment provides employees with additional support in seeking to secure alternative employment, both within TEAL and externally. A member of the HR Department will offer to meet with the employee to complete the redeployment form with them (Appendix 1). This provides the TEAL and the employee with an opportunity to explore the:

- employee's understanding of the situation they are in and the associated timeframes
- employee's knowledge, skills, abilities, circumstances, and expectations
- way in which redeployment might work (e.g. frequency of meetings and type of support the employee would find useful)
- type of work, hours, duties, salary, status, location etc. that might be deemed as reasonable and the feasibility of finding suitable alternative work within TEAL
- expectations of TEAL alongside the legal aspects of redeployment (e.g. the potential consequences of unreasonably rejecting a suitable alternative; trial periods and time off to attend interviews)

Whilst employees will be advised that if a suitable alternative position is found and unreasonably rejected, the employee could lose their right to redundancy pay (if they are accessing redeployment support due to redundancy), the intention of the process is that the employee and their HR contact agree how redeployment will work and they review the content of the redeployment form at each meeting, ensuring that any changes are captured. The process is intended to be supportive, enabling TEAL to retain staff wherever possible.

## **6. REDEPLOYMENT MEETING**

Employees identified as meeting the criteria for redeployment will be offered a one-to-one meeting with a member of the HR Department. The intention of the meeting is that it is informal and

supportive and employees may have a trade union representative or work colleague with them at the meeting if they wish. Employees will be encouraged to discuss the reason for redeployment, their knowledge, skills, qualifications, experience, abilities and learning and development requirements. The aim of the meeting is to ensure employees understand their 'at risk' status, the circumstances that have led up to redeployment and how redeployment might work for them (e.g. the support on offer, agreement on the regularity of meetings and methods of communication). Employees will be assisted in identifying:

- The core requirements in their search for suitable alternative employment
- The requirements that are preferable rather than essential and any areas of flexibility
- Skills, qualifications and experience they hold and learning and development they require to assist them in securing suitable alternative employment
- Type and level of role that would be deemed suitable by TEAL and the prospects of finding suitable alternative employment within TEAL
- Potential options external to TEAL (including appropriate signposting)
- Support mechanisms (e.g. trade union representatives, the employee assistance programme and other health and wellbeing services)
- Expectations in relation to searching for suitable alternative employment (including the regularity of future meetings, activities, time off arrangements)

A member of the HR Department will be identified to provide support to the employee during this period of uncertainty. They will add their details to the redeployment register, which HR colleagues across TEAL consider before advertising positions. HR colleagues will offer a series of regular meetings as part of the redeployment process, enabling regular discussions regarding possible job opportunities, learning and development needs, information, and advice to take place. The HR representative will complete a redeployment form with the redeployee and will signpost and support them as appropriate. The HR representative will:

- Support the redeployee in their search for suitable alternative employment, preferably within TEAL, ensuring the employee and TEAL regularly review vacancies across the organisation. Whilst the employee will be encouraged to regularly look for vacancies on the TEAL website, the HR Department will also contact the redeployee if they see a vacancy, which may be viewed, as suitable alternative employment.
- Encourage the redeployee to have a flexible approach to redeployment wherever possible
- Signpost the redeployee appropriately to other services and organisations (e.g. Job Centre, health, and wellbeing services)
- Explain the potential implications of redeployment decisions (e.g. unreasonable rejection of an offer of suitable alternative employment)
- Contact recruiting managers to facilitate the redeployment process wherever possible
- Adhere to legislative requirements
- Monitor trial periods and facilitate discussions between recruiting managers, current managers, and redeployees

## **7. SECURING SUITABLE ALTERNATIVE EMPLOYMENT**

HR colleagues will work with redeployees to identify the possibilities of suitable alternative employment. Where there are internal opportunities for redeployment the employee's knowledge, skills and competencies, qualifications and experience will be assessed against the job description and person specification of the vacant post(s). The post may not necessarily be at the same pay point, salary, terms, and hours of work or status as the employee's substantive post. In deciding whether a post can be considered as a suitable alternative, HR colleagues and the employee will take account of

the afore-mentioned factors. Sufficient information on alternative employment will be provided to enable the employee to decide whether to accept the post.

If the employee believes that, the alternative post(s) is not suitable they must express this in writing, clearly detailing the reasons for the rejection. Employees who refuse to engage in the process of redeployment or unreasonably reject an offer of suitable alternative employment may lose any previous entitlement to redundancy pay.

An offer of suitable alternative employment must begin either immediately after the current role comes to an end or within 4 weeks of the date of termination of the current role. When a redundant employee accepts an offer of new employment within these timescales, they will not be regarded as redundant in law and such a break would not be viewed as a break in service.

The HR Department will continually review and oversee the redeployment process for each redeployee. There may be occasions where it is appropriate for HR to arrange a ring-fenced interview. This means that the pool of candidates to be considered for a post is restricted (e.g. ring-fenced) to a particular group of staff. Interview panels for ring-fenced interviews should include a representative from the HR Department wherever possible. If an employee is designated at risk of losing their employment with TEAL due to redundancy or capability, they may be provided with an opportunity to apply for a ring-fenced post within TEAL. In such circumstances, they will be guaranteed an interview for the post if they apply and meet the essential criteria of the post. An invitation to attend a ring-fenced interview is not a guarantee of a formal offer, as the employee will have to demonstrate their knowledge, skills, abilities, and competencies throughout the selection process. In circumstances where employees are unsuccessful, they must be offered detailed constructive feedback by the chair of the recruiting panel.

Slotting may occur where there is one member of staff at risk of redundancy or losing their employment due to capability or cessation of a fixed term contract and there is a suitable alternative post that is very similar to their current substantive post. In such circumstances, slotting can only occur where there are no other at-risk members of staff who could reasonably make any claims that they should have the opportunity to apply for that post. The redeployee must meet the essential criteria of the post, as stated in the person specification. If the post is similar in nature (e.g. the job description and person specification are broadly the same as their current role and the pay scale is the same) to the employee's substantive role they may be slotted into the role as opposed to applying and progressing through a selection process.

Employees have the right to a 4-week trial period for any alternative employment they are offered. This can be extended if the employee needs training and any extension must be agreed in writing before the trial period starts. Training and development requirements can be identified during the trial period. Where an employee decides within a trial period that the new role isn't suitable, they must advise the HR Department at the earliest opportunity. Their employment rights will not be affected; however, the employee will lose any right to redundancy pay if they don't provide notice within the 4-week trial period.

## **8. TRIAL PERIODS**

Where the new post is different from the previous role, the employee is entitled to a statutory four-week trial period. The purpose of the trial period is for the employee and the employer to assess the suitability of the post. However, if the provisions of the new contract are the same as the original contract there is no statutory requirement for a trial period to be undertaken. If a trial period takes

place and it is agreed that the position cannot be viewed as suitable alternative employment (e.g. the trial period is not successful) the position will revert to the original position (e.g. at risk of redundancy). The termination date for the purposes of calculating statutory redundancy pay will be the date on which the original post ceased, not the end of the trial period.

The trial period begins when the previous contract has ended and ends four weeks after the date on which the employee starts work under the new contract. The four week trial period can be extended by mutual written agreement (e.g. due to school holidays or for retraining purposes), specifying the date on which the trial period ends, detailing the employee's terms and conditions after it ceases. If the employee works beyond the end of the four week period or the jointly agreed extended period, any redundancy entitlement will be lost because the employee will be deemed to have accepted the new employment.

Should the new contract be terminated within the four week period for a reason connected with the new job, the employee retains their right to a redundancy payment as per their old contract (where they meet the criteria for a redundancy payment). However, if dismissal is unconnected to redundancy (e.g. for misconduct) the employee may lose any entitlement they had to a redundancy payment.

## **9. APPEALS**

If an employee feels aggrieved about the way in which this procedure has been implemented, they can lodge a grievance as detailed in TEAL's Grievance Procedure.

## **10. MONITORING COMPLIANCE WITH AND EFFECTIVENESS OF THE POLICY**

Effectiveness and compliance of this policy will be monitored by the HR Department.

## **11. REVIEW**

This Procedure will be reviewed within three years of the date of implementation via TEAL's JCNC.



**The Education Alliance  
Redeployment Form**

**To be completed during the redeployment meeting with HR and to be reviewed during subsequent redeployment meetings.**

**Date of interview:**

**Place of interview:**

**Part A: Personal Data**

Name	
Address	
Email addresses	
Contact telephone number	
Job title	
Current hours	
Continuous service date	
Pay point	
Allowances	

**Part B:**

1. What is your understanding of the circumstances that have led to you being in a redeployment situation?

**Part C: Past Employment**

Previous post(s) held in the last 10 years	
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Qualifications	
Current knowledge skills and experience being used	
Past knowledge, skills and experience not being used	

Part D: Future Employment

Are you in the process of applying for any posts?	
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Any preferences for future employment (working pattern, geographical location etc.)	
Essential features of the role	
Desirable features	
Any considerations in relation to the Equality Act 2010?	

Part E: Training needs

Recruitment	
Interviewing	

Presentation	
Role specific	
Future aspirations	

Part F: Internal / external support

Occupation health/EAP support	
Any additional support we can offer you	
If you are a member of a trade union, you are advised to contact your trade union for additional support	

Part G Additional information

Interviewer (print name)	
Interviewer (signature)	
Date:	
Employee (print name)	
Employee (signature)	
Date:	

## **Appendix of policy updates following each review**

### **July 2024**

The Redeployment Procedure is due for review. Again, it works well and enables us to provide a more flexible, personalised approach to redeployment, whilst adhering to legal requirements. The Protection from Redundancy (Pregnancy and Family Leave) Act 2023 is mentioned, as it came into force on 6 April 2024.