

WINTERBOURNE NURSERY & INFANT SCHOOL



Code of Practice on Redeployment

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1. Scope

1.1. This procedure only applies to all Community, Special, and Voluntary Controlled school-based staff employed by the Council. Staff employed by Voluntary Aided or Foundation Schools or Academies do not have access to the Council’s redeployment scheme, although they must meet their statutory responsibilities and should seek to redeploy staff as described in paragraph 4 of this policy . They should also take into account the need to look for redeployment opportunities for statutory reasons as described in paragraph 5.1.

References in this document to “schools” also relates to federations of schools where applicable.

2. Introduction

2.1. This procedure lays out the process to be followed when employees face termination of their employment on statutory grounds (i.e. redundancy, ill health, disability or other statutory reasons). The procedure aims to maximise the opportunity for employees in such circumstances to obtain alternative employment whilst balancing this with the needs of schools to deliver high quality, value for money services.

3. Responsibilities

3.1. Responsibility of Redeployees

Redeployees are required to co-operate and actively participate in their redeployment. This includes:

- completing and updating their redeployment forms promptly;
- regularly logging onto the Council's vacancy website and identifying potentially suitable vacancies;
- attending meetings and interviews;
- accepting reasonable offers of suitable alternative work; and
- seeking alternative employment themselves.

3.2 Responsibility of Management

- During the redeployment period, managers will regularly review the situation of redeployees. For employees seeking redeployment on health or disability grounds, these reviews should normally be undertaken under the relevant school procedure i.e. the managing sickness procedures.
- Managers interviewing redeployees will have regard to their obligations under the Equality Act 2010 and consider what reasonable adjustments may be made to enable a disabled redeployee to carry out the alternative role.
- Managers should give consideration to access to reasonable training for those being redeployed by their school.
- Consideration should be given to granting [reasonable time off to redeployees so that they can attend interviews or for informal visits to potential employers.](#)

4. Redeployment in Schools

- 4.1. Redeployment is initially a responsibility of the current employing school. Current and future vacancies within the school should be considered in the first instance to see if suitable alternative employment exists for employees whose employment is at risk. If it appears that staff eligible for redeployment might be suitable for a vacancy, they should be considered for it before any more general advertising takes place. If the person concerned meets the essential aspects of the person specification for the vacancy or could, with training, fulfil the duties of the post, it is recommended that they be appointed. Where more than one redeployee meets the requirements of the vacant post, a ring-fenced interview will need to take place.

5. Council-Wide Redeployment - Eligibility

- 5.1. If redeployment within the employing school is not possible employees will be admitted to the Council's Corporate Redeployment Register on the following criteria:

5.1.1. "Statutory" Reasons

- (a) Permanent employees or temporary employees with two years continuous service with the school, who have been given formal notice of termination of employment on grounds of redundancy.

- (b) Employees identified by the Occupational Health Service (OHS) as being permanently unfit to undertake the duties of their post but fit to undertake alternative work and deemed unlikely to exceed the trigger points for sickness absence in that work (see Sickness Procedure for trigger points).
- (c) Employees confirmed by the OHS as being unable to carry out the duties of their post because of a disability and it has not been possible to make reasonable adjustments to allow continuation in post.
- (d) Other statutory reasons where no suitable school vacancy is available. This includes employees returning from maternity or adoption leave or because of gender reassignment.

- 5.2. Non-teaching staff seeking redeployment on 'statutory' grounds (para 5.1.1) may be considered for posts up to two grades higher than their current post **provided they meet all the selection criteria**. Posts up to two grades lower than their current post will also be considered. This may be extended beyond two grades lower depending on the employee's stated preference on the redeployment form.
- 5.3. Teachers have a statutory right to salary protection where their posts become surplus to requirements. Any teacher redeployed to another teaching post in the same authority as before is, therefore, entitled to have their existing substantive salary (including permanent allowances) safeguarded, provided that the teacher does not unreasonably refuse to accept an alternative teaching post. Full details of the safeguarding provisions are set out in the School Teachers' Pay and Conditions Document. (STPCD). See Para 10. for further information.
- 5.4. Employees will be granted access to the Council-Wide redeployment register until their employment with the Council/school ceases. However, schools are not obliged to take on a redeployee from another school and therefore the Redeployment Co-ordinator will only be able to request that schools consider a redeployee.

6. Council-Wide Redeployment – Process

- 6.1. Redeployees are required to complete an electronic redeployment registration form.
- 6.2. The Redeployment Co-ordinator is responsible for administering the Council-Wide redeployment process. The HR Consultancy will work with schools in liaising with redeployees and will notify the Redeployment Co-ordinator of employees to be admitted to the Council-Wide redeployment register. The Redeployment Co-ordinator is responsible for maintaining the Redeployment Register, providing redeployees with a unique access passcode. They will also oversee the redeployment process to ensure adherence to proper procedure.
- 6.3. If a potentially suitable redeployee is identified after a job is advertised, but before the offer is made, the redeployee shall be considered for the post in advance of applicants being considered through the normal recruitment process.
- 6.4. Redeployees will not be put forward for interview where there is a requirement for a specific qualification that the redeployee does not hold.

- 6.5. A redeployee who sees a job, either on the redeployment register or advertised, which they believe they are suitable for, should notify the Redeployment Co-ordinator immediately.
- 6.6. During the redeployment period, managers will regularly review the situation of redeployees. For employees seeking redeployment on health or disability grounds, these reviews should normally be undertaken under the relevant school procedure i.e. the managing sickness procedures.

7. Selection Interviews, Criteria and Priorities

- 7.1. Interviews and any occupational testing will be conducted in accordance with the principles of the school Recruitment Policy for posts in schools and the Council's Recruitment Policy for posts in the Council. However, redeployees do not necessarily have to meet all of the criteria fully, but must **demonstrate the potential** to meet the criteria, taking into account a trial period of up to 12 weeks. **If the post is a higher grade, redeployees will need to meet all of the selection criteria.**
- 7.2. A woman returning from maternity leave whose substantive job is being made redundant has priority over other redeployees.
- 7.3. Managers interviewing redeployees will have regard to their obligations under the Equality Act 2010 and consider what reasonable adjustments may be made to enable a disabled redeployee to carry out the alternative role.

8. Clearances

- 8.1. Offers will be subject to the normal clearances expected and relevant for the post, including references from the employing school/department, confirmation of the right to work in the UK, medical clearance and where appropriate personal interviews, checks from the Disclosure & Barring Service and checks against the DfE Teacher's Prohibition List .

9. Trial Periods

- 9.1. Redeployees who are appointed to jobs are entitled to a minimum statutory trial period of 4 working weeks, during which time the redeployee can assess the suitability of the job and the line manager can assess the suitability of the redeployee. The trial period may be extended to 12 weeks if the redeployee needs a period of experience in the job and/or training to satisfy the requirements of the person specification.¹
- 9.2. If it seems likely that a redeployee will not complete their trial period successfully, they will be advised of the situation at the earliest opportunity and invited to a meeting with the appropriate manager and a representative from the school's/LA HR service provider.

¹ School closure periods are not counted in the trial periods.

- 9.3. The outcome of all trial periods will be confirmed in writing and will include written reasons for non-appointment where applicable.

10. Salary Protection

- 10.1. Redeployment aims to be neutral in terms of job grading. Salary protection applies **only** to:
- those needing redeployment for statutory reasons (para 5.1.1).
- 10.2. The providing School will be expected to fund the protection of a member of support staff's **salary** if they are redeployed to a lower graded post, as follows:
- Personal protection is limited to a maximum of 2 grades.
 - Protection only applies to an employee's grade rate. Bonus payments; overtime; weekend and night working enhancements; and any other enhancements or allowances related to the employees previous post, are excluded from protection.
 - Protection for non-teachers will last for whichever of the following occurs sooner:
 - i. a period of one calendar year from the date an employee is redeployed into the lower paid role.
- OR
- ii. in the form of "marked time" (i.e. the existing grade rate will be fixed at its present monetary value without incremental or other increases.) The protection will cease when the grade rate for the new job, with agreed increases, reaches the monetary level of the protected pay.
- 10.3. The salary of a redeployed teacher will be protected in accordance with the School Teachers' Pay and Conditions Document and the providing school will be expected to fund that protection.

11. Suitable Alternative Employment

- 11.1. The school cannot guarantee to offer alternative employment. An employee who unreasonably refuses an offer of suitable alternative employment may forfeit any right to a redundancy payment.
- 11.2. A redeployee who does not co-operate with or participate in the redeployment process, unreasonably refuses to be considered for suitable vacancies, or otherwise acts unreasonably may be taken off the redeployment register. In such circumstances, any redundancy payment will be based on the statutory provisions of the Employment Rights Act rather than the school's normal arrangements.