

EAST AYRSHIRE COUNCIL

CABINET – 23 JUNE 2010

WORKFORCE PLANNING

REVISED REDEPLOYMENT POLICY AND PROCEDURES

Report by Executive Director of Finance & Corporate Support

1. PURPOSE OF REPORT

- 1.1** The purpose of the report is to recommend to Cabinet proposed changes to the Council's Redeployment Policy and Procedures.

2. BACKGROUND

- 2.1** The Council's Redeployment Policy and Procedures were last updated by Cabinet at its meeting on 3 October 2007. The Policy and Procedures apply to Local Government Employees, Chief Officers and Craft Operatives. There are separate arrangements in place for Teachers.
- 2.2** As part of the ongoing annual review of the Council's Employment Policies, changes have been required to be made to ensure that the Council continues to take account of new legislation and reflect best human resources practice. In addition, the opportunity has been taken to ensure that the Procedures are operating effectively.
- 2.3** As part of the review account has been taken of the Council's budgetary position which will require the reduction in the size of the workforce. Under these circumstances, redeployment will become more prevalent than it has until now and the length of time that employees whose posts have been declared surplus will remain on the Redeployment Register has been better defined.
- 2.4** The revised Policy and Procedures will contribute to the objectives of the Council's overall Workforce Planning arrangements by effectively managing reductions in the workforce.

3. PROPOSED CHANGES

- 3.1** The Policy and Procedures have been updated to reflect that:
- All references to Personnel Services have been replaced by Human Resources;
 - Paragraph 2.1 – Replace "Managing Absence" with "Sickness Absence Management".

- Paragraph 2.5 – New paragraph which sets out the principles of prioritisation of redeployment.
- Paragraph 2.6 – Last bullet point replace “PPP” with “TUPE”.
- Paragraph 2.6 – Additional priority added “a reduction in the budget affecting an employee’s post”.
- Paragraph 3.5 – Additional wording inserted in the paragraph to clarify the setting of the date which determines how long an employee will remain on the Redeployment Register.
- Section 5 – New section which outlines the role of the Vacancy Review Group and its relationship with the Redeployment Register.
- Section 6 – Replaces previous Section 5 and makes a number of alterations to take account of the role of the Vacancy Review Group.
- Appendix 4 – Redeployment Discussion Form - addition of TUPE Lateral Transfer box in Section 2 – Reason for Redeployment.

3.2 All documentation used in the redeployment process will be updated to reflect the proposed changes.

4. COMMUNICATIONS

4.1 Employees will be advised of the revised Redeployment Policy and Procedures via the Council’s intranet site, Eastwords and the issue of a relevant PER Circular.

5. FINANCIAL IMPLICATIONS

5.1 Any additional costs arising from the proposed changes to the Revised Redeployment Policy and Procedure will be contained within existing budgets.

6. POLICY/LEGAL IMPLICATIONS

6.1 The proposed changes will ensure that the Council continues to meet its legislative requirements as an employer. The proposals meet the pursuit of continuous improvement and best value and the guiding principles of the Community Plan.

7. TRADE UNIONS

7.1 The proposed changes are subject to consultation with the Trade Unions.

8. RECOMMENDATIONS

- 8.1 Cabinet is recommended to approve the above changes to the Council's Redeployment Policy and Procedures for approval by Cabinet, subject to Trade Union consultation.

Alex McPhee
Executive Director of Finance & Corporate Support
28 May 2010

LIST OF BACKGROUND PAPERS

1. Report on Revised Redeployment Policy and Procedures by the Depute Chief Executive/Executive Director of Corporate Support to Cabinet of 3 October 2007.
2. Per Circular 5/08 dated 23 June 2008 on Revised Redeployment Policy and Procedures.

Any person wishing further information should contact Martin Rose, Head of Human Resources (Telephone 01563 576092).

Implementation Officer – Martin Rose, Head of Human Resources

EAST AYRSHIRE COUNCIL



REDEPLOYMENT POLICY AND PROCEDURES

Effective Date: April 2010
To Be Reviewed: Annually

Last Change: June 2008
Per Circular No: 5/08

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REDEPLOYMENT POLICY AND PROCEDURES

1. POLICY STATEMENT

1.1 This Policy and Procedures have been established to enable the Council to achieve and sustain a corporate and consistent approach to the redeployment of employees where necessary as detailed in paragraph 2.4. The Council recognises that redeployment represents an important way of retaining a skilled and experienced workforce and will seek to redeploy employees to a suitable alternative post within the Council wherever possible. In particular the provisions of this Policy and Procedures will allow the Council to:-

- Manage necessary reductions in certain areas of its operations
- Address issues affecting individual employees in specific circumstances e.g. ill-health
- Meet its obligations under the Disability Discrimination legislation
- Maintain effective workforce planning

2. INTRODUCTION

2.1 This document outlines the principles and procedures to be followed in relation to the redeployment of employees within the Council and should be read in conjunction with the Council's Redundancy Policy and any other policies relating to redeployment e.g. Sickness Absence Management, Temporary Employment.

2.2 The Redeployment Policy and Procedures are applicable to all Local Government Employees, Craftpersons and Chief Officers. **It does not apply to teaching staff who have their own procedures.**

2.3 Where any change in departmental structure / staffing requirements results in a compulsory redundancy situation, in the first instance the Council will aim to retain those employees concerned by considering the option of redeployment to a suitable alternative post within the Council. However, no guarantee can be made that any employee who has been given formal notice of redundancy/termination of employment will be successfully redeployed within their individual notice period.

2.4 The redeployment of employees will also be considered under the following circumstances:

- ❖ Redundancy
 - ❖ Health reasons including ill-health
 - ❖ Work Performance including capability
 - ❖ End of temporary appointment where period of continuous employment has exceeded one year
 - ❖ Review of Organisational Structures
 - ❖ Disciplinary Action
-
- ❖ Job Evaluation Job Development Strategy
 - ❖ TUPE Lateral Transfer
 - ❖ Other circumstances not defined above

2.5 The guiding principle in terms of the prioritisation of the redeployment of employees is to give priority to those employees whose continued employment may be affected by a decision taken by the Council i.e. an employee who is facing redundancy will be given the highest priority for redeployment. The prioritisation criteria of employees on the Redeployment Register is detailed in section 2.6

2.6 In summary, the Council will attempt to redeploy employees in the following order of priority:

- ❖ Employees with more than 12 months continuous service whose employment is being terminated as a result of:
 - A reduction in the budget affecting an employee's post
 - The closure of a Council establishment
 - A change to the nature of the service provided
 - Review of the Council's organisational structures
 - End of a fixed term period or end of temporary period of employment
- ❖ Employees who are recommended for redeployment for medical reasons by the Council's Occupational Health Advisor.
- ❖ Employees whose work performance does not meet the standard required for the post.
- ❖ Employees who are being redeployed due to disciplinary action taken under the Council's Disciplinary Policy and Procedures.
- ❖ Employees who are being redeployed as a result of the Disclosure (Scotland) checking process.
- ❖ Employees included in the Single Status Job Development Strategy who will still be in detriment at the end of the cash conservation period.
- ❖ Employees included in the TUPE Lateral Transfer Scheme where they have expressed a wish to remain in the Council's service and not transfer to their new employer.

2.6.1 The above priority list will be kept under review and its application may be altered depending on particular circumstances which may arise.

3. GENERAL PRINCIPLES

3.1 The Council will ensure that all employees who are being considered for redeployment are treated in a fair and consistent manner. Employees who do not

wish to be retained on the Redeployment Register should advise the Head of Human Resources, in writing, of their decision at the earliest opportunity.

- 3.2** The Head of Human Resources will maintain a register of employees whom Human Resources have determined have the right to be redeployed under the Council's Redeployment Policy and Procedures. This register will be known as the Redeployment Register.
- 3.3** Employees on the Redeployment Register will be given first consideration for all suitable vacancies which arise while they remain on the register in the order of priority as outlined in paragraph 2.5 above.
- 3.4** Notwithstanding the proactive management of the Redeployment Register as detailed in Section 5, employees on the Redeployment Register will be expected to actively seek alternative employment including applying in the usual way for any other vacancies advertised in the Internal Vacancy List which they deem suitable.
- 3.5** The length of time which an employee is retained on the Redeployment Register will be dependent on the reasons for their inclusion on the Redeployment Register. This will be set having regard to all relevant factors e.g. date funding ceases; date service ceases; statutory notice period etc and will be set in consultation between the Head of Human Resources or nominee and the relevant Departmental Manager.

The Head of Human Resources or nominee in consultation with management from the employee's department will determine how long an employee will be retained on the Redeployment Register. All employees on the Register will have a termination date which will depend on their individual circumstances. The setting of the termination date will take into account all relevant factors e.g. date funding ceases; statutory notice period etc and will be set at the point the employee is placed on the Redeployment Register.

The employee will be advised accordingly and given appropriate notice of termination of employment by their Head of Service or nominee after liaison with the Departmental Human Resources Officer. The employee will have the right of appeal against dismissal at this time. If the employee has not been redeployed at the end of the notice period then their employment will be terminated by the Council and they will be paid all relevant statutory payments due.

- 3.6** The Council will make every effort to redeploy employees into a suitable alternative post based on their existing basic contractual grade. However, should this not be possible then the employee may be offered an alternative post on the pay, terms and conditions of employment applicable to that post. Employees will not be redeployed into a higher graded post unless in exceptional circumstances. Where appropriate, employees who are members of the Local Government Pension Scheme will have their pension rights protected for a specific period through the issue of Pension Form S20 (Certificate of Material Change In Circumstances).
- 3.7** Management will make all employees aware that while every effort will be made to accommodate the preferences of those being considered for redeployment, this may not always be possible. In the case of redundancy, where an employee refuses an offer of alternative employment deemed by the Council to be suitable, the employee may not be entitled to receive a redundancy payment. A decision on

whether the employee will be entitled to be paid a redundancy payment will be made by management based on the circumstances at that time. The employee will be notified of this decision at the earliest opportunity and will have the right of appeal against the decision in accordance with the Council's Appeals Procedure.

The employee will be advised that a further offer may not be forthcoming within the established notice period. Failure by the employee to successfully apply for subsequent vacancies brought to their attention will result in their employment with the Council being terminated on expiry of their notice period.

- 3.8** Human Resources will assist Management as required in managing situations in which there may be a need to redeploy employees as outlined above. This will include consulting with the employees concerned and advising them of the redeployment process and any potential impact on their pay and terms and conditions of employment.
- 3.9** In appropriate cases, departments must ensure that relevant checks have taken place e.g. Disclosure Scotland vetting prior to any employee taking up a work trial or being offered an alternative appointment.
- 3.10** The redeployment process will be undertaken in consultation with Trade Unions, as necessary, in the usual way.

4. RESPONSIBILITIES

The Head of Human Resources will have responsibility for overseeing, implementing and applying the Redeployment Policy and Procedures on a Council-wide basis.

Departmental Management will, in the first instance, seek alternative employment for employees within their own department in consultation with the Human Resources' Employee Relations Section. If this is not possible, they will inform the Head of Human Resources of this at the earliest opportunity. They will co-operate with the Head of Human Resources to ensure that as far as practicable employees are successfully redeployed prior to the expiry of their notice period.

Employees will be expected to actively seek alternative employment within their notice period and will not be expected to refuse an offer of suitable alternative employment made by the Council.

5. VACANCY REVIEW GROUP

- 5.1** The process for dealing with employees who have been placed on the Redeployment Register will commence with the approval of the filling of vacancies by the Vacancy Review Group.
- 5.1.1** When considering all vacancies, the Vacancy Review Group will be provided by the Head of Human Resources with details taken from the Redeployment Register of employees who may be suitable to fill the vacancy in the event of it being approved for advertising. These details will be provided following the process outlined in Section 6 having been undertaken.

6. PROCESS

6.1 In all redeployment situations the Employee Relations Section should be provided as early as possible with the details of the employee(s) concerned to enable a pro-active response and a timescale for action to be established. The employee will be advised in writing by their Departmental Human Resources Officer of the redeployment process and given appropriate notice of termination of employment by their Head of Service after liaison with the Departmental Human Resources Officer.

6.2 Employees who have been placed on the Redeployment Register will complete an Employee Personal Profile Form, detailing their previous experience, skills and knowledge. Assistance will be provided to employees to complete the form, if required. Employees may be interviewed to clarify the information provided on the form to assist with the redeployment exercise. Employees will be provided with individual counselling and offered training on interview skills and retraining as necessary to assist them to find suitable alternative employment.

The Employee Personal Profile Form is attached as Appendix I.

6.3 In the first instance, Departmental Management should try as far as practicable to redeploy employees within their own department. Where this is unlikely to be achieved within a realistic timescale, management should provide appropriate background information to the Head of Human Resources together with the Employee Personal Profile Form as early as possible. This will allow the Employee Relations Section to seek redeployment opportunities Council-wide before the expiry of the employee's notice period.

6.4 The Employee Relations Section will review the Person Specification and Job Outline of each vacancy authorised by the Executive Director for submission to the Vacancy Review Group against the Employee Personal Profiles of those employees on the Redeployment Register with a view to their suitability for the vacant post.

6.5 When reviewing vacancy details against employee details, the Employee Relations Section will have regard to: -

- > the current contractual terms and conditions of the employee
- > the current duties and responsibilities of the employee
- > the current work location of the employee and their home address
- > the capabilities and training/qualification profile of the employee
- > the extent of retraining/development required to enable the employee to carry out the duties of the new post

6.6 Where the review indicates that there are no suitable candidates on the Redeployment Register, the vacant post will be submitted to the Vacancy Review Group with that position highlighted.

6.7 Where a vacancy is approved for filling by the Vacancy Review Group and there are one or more employees on the Redeployment Register who have been identified as being suitable candidates then these employees only will be interviewed for the post

and an appointment made if they satisfy the interview panel that they meet the requirements of the post. In the event of an appointment not being made then the vacancy should be resubmitted to the Vacancy Review Group.

- 6.8** Where a vacant post is considered suitable for an employee on the Redeployment Register, the Employee Relations Section will advise the Departmental Human Resources Officer to bring the vacant post to the attention of the employee concerned. Ideally a meeting should take place but in any event the employee should be issued with the Job Outline of the vacant post and a letter outlining the following information:
- > The pay, terms and conditions of the post
 - > The normal work location of the post
 - > The essential requirements for the post
 - > The timescale for consideration of the post (maximum of 5 working days)
- 6.9** Where a vacant post is deemed suitable for more than one employee on the redeployment register, it will be brought to the attention of all relevant employees.
- 6.10** The Employee Relations Section will record details of suitable posts brought to the attention of employees on the Redeployment Register.
- 6.11** If an employee has indicated that they do not wish to be considered for the vacant post, the reason(s) must be recorded on the Redeployment Register.
- 6.12** If deemed appropriate employees will be able to undertake a work trial, usually for a period of 4 weeks, in the proposed new post. The reason for the trial period is to enable an employee and the department concerned to decide whether the post is suitable. During the duration of the work trial the employee where applicable will continue to be paid on their current basic contractual wage/salary by their substantive department. In cases where the employee has exhausted their sickness allowance and are therefore not in receipt of pay, or where they have exceeded their period of notice during the work trial, they will be paid the rate of pay applicable to the redeployed post by the employing department.
- 6.13** Where the employee's period of notice expires during the work trial, the Departmental Human Resources Officer will ensure that the notice period is extended accordingly and the employee advised of the revised termination date.
- 6.14** A decision will be taken prior to the end of the work trial to establish whether or not the employee is suitable for the post. If deemed suitable by both the employee and management then the employee will be formally offered the post on the salary grade, terms and conditions applicable to that post.
- 6.15** If an employee is deemed unsuitable at the end of the work trial or following a restricted interview then Management must advise the Employee Relations Section, in writing, of the reasons why the employee is not suitable with particular reference to the Person Specification and Job Outline for the post.
- 6.16** On receipt of this information, the Employee Relations Section taking into account all relevant factors will consider what further action to take. This may include: -
- further discussion on the matter with the manager concerned;
 - referring the matter to the Head of Human Resources for final determination;

- advertising the vacancy in accordance with the Recruitment and Selection Policy and Procedures.

Thereafter, the Employee Relations Section will advise the employee of the final outcome and where appropriate they will revert to their former post and remain on the Redeployment Register for the duration of their notice period unless another post is identified within that period.

- 6.17** Where an employee rejects an offer of employment deemed suitable by the Employee Relations Section then they will be advised that a future offer may not be forthcoming within the notice period and that, in certain circumstances they may not be entitled to receive a redundancy payment. A decision on whether the employee will be entitled to receive a redundancy payment will be subject to consultation between the Head of Human Resources and the relevant Head of Service. The employee will be notified of any such decision and will have the right of appeal in the usual way.
- 6.18** Where the employing department advises that the employee is considered suitable for the vacant post, the employee will be issued with a formal offer of appointment to the post. The Employee Relations Section will provide advice to the employing department on those occasions where it may be appropriate to issue Pension Form S20 (Certificate of Material Change In Circumstances).

7. PAY AND CONDITIONS

- 7.1** Every effort will be made to redeploy an employee to a post with an equivalent salary. However should this not be possible then the employee may be offered an alternative post which would be on the pay, terms and conditions applicable to that post.
- 7.2** Employees on the Redeployment Register will not be redeployed into a higher graded post, except in exceptional circumstances.
- 7.3** Employees who incur additional travel expenses as a result of being redeployed to another work location will be entitled to claim excess travel in accordance with the Council's Excess Travelling Expenses Scheme. The cost of the excess travel will be recharged to the employee's former department.
- 7.4** Where a current employee is redeployed to an 'excepted' post or a disclosure is required as a result of a transfer of work location e.g. a school then the Disclosure fee will be met by the new employing department.

8. HEALTH REASONS

- 8.1** Where the Council's Occupational Health Advisor has recommended that an employee is unable to return to their current job due to health reasons and therefore should be considered for redeployment then it is crucial to ascertain from the Occupational Health Advisor the duties and posts which the employee may be fit to undertake.
- 8.2** A meeting between the employee, where appropriate their Trade Union Representative, their Line Manager and Departmental Human Resources Officer

will take place to discuss the recommendations of the Occupational Health report and to discuss any redeployment options available. However, if the Council's Occupational Health Advisor has recommended ill health retiral or dismissal on health grounds, then the relevant procedure will be followed accordingly.

- 8.3** In the first instance, Managers should consider if any reasonable adjustments can be made in respect of the employee's current post and where this is not practicable whether there are any suitable alternative posts available within their own Department. Where a suitable post is identified, the employee will be offered an appointment on the pay, terms and conditions of the new post. It is anticipated that an employee will not refuse any offer of suitable alternative employment without a valid reason. Employees who refuse a suitable offer will be advised by their line manager following consultation with the Departmental Human resources Officer that a further offer may not be forthcoming.
- 8.4** If there are no suitable vacancies then it is important that management notify the Employee Relations Section as soon as possible to enable a timescale for action to be established. The employee will be advised of their position and given appropriate notice of dismissal/termination of employment by their Line Manager after liaison with the Departmental Human Resources Officer. Employees will have the right of appeal against dismissal in accordance with the Council's agreed procedures.
- 8.5** Thereafter the process outlined in paragraph 5 above will be followed.

9. WORK PERFORMANCE

- 9.1** In circumstances where an employee's work performance does not meet the requirements of their post, and where disciplinary action is not appropriate, management will discuss with the employee concerned together with their Trade Union representative if applicable the situation and outline the options available including retraining, regular reviews etc.
- 9.2** Redeployment should only be considered when all other avenues of redress have been exhausted over a specified period of time.
- 9.3** Where it has been determined by management that redeployment of an employee is appropriate, management should consider whether the employee could be transferred to an alternative post within their own department. If this is practicable then the employee will be offered an appointment on the pay, terms and conditions of the new post.
- 9.4** If there are no suitable vacancies then it is important that management notify the Employee Relations Section as soon as possible to enable a timescale for action to be established. The employee will be advised of their position and given appropriate notice by their Line Manager after liaison with the Departmental Human Resources Officer. Employees will have the right of appeal against dismissal.
- 9.5** Thereafter the process outlined in paragraph 5 above will be followed.

10. REVIEW OF ORGANISATIONAL STRUCTURES

10.1 The procedure to be followed on the transfer and matching of employees during a period of reorganisation is outlined in **Appendix 2**.

11. DISCIPLINARY ACTION

11.1 Redeployment arising as a result of disciplinary action will be determined on an individual basis based on the outcome of the Disciplinary Hearing.

11.2 Where a disciplinary panel has deemed that redeployment to an alternative post is the most appropriate course of disciplinary action, they should establish if the employee could be transferred to a suitable alternative post within their own department in the first instance. If there are no suitable vacancies, then the Chair of the disciplinary panel must notify the Employee Relations Section as soon as possible to enable a timescale for action to be established. In such cases, the employee will complete an Employee Personal Profile Form and may be interviewed by a representative from the Employee Relations Section to clarify the information provided.

The Employee Relations Section will undertake a Council-wide review to establish if a suitable alternative post is available within the timescale concerned. If no posts are identified then the Chair of the disciplinary panel will be advised accordingly and the disciplinary panel will determine what disciplinary action should now be taken against the employee.

11.3 Where a suitable alternative post has been identified, the employee will be appointed on the pay, terms and conditions of the new post, but will retain the right of appeal under the Council's Disciplinary Policy and Procedures. In these circumstances, employees who are members of the Local Government Pension Scheme will not be entitled to be issued with Pension Fund Form S20 (Certificate of Material Change In Circumstances).

12. JOB EVALUATION JOB DEVELOPMENT STRATEGY

12.1 Employees who remain in detriment at the end of the Single Status cash conservation period on 31 March 2010 will be retained on the Job Development Strategy section of the Redeployment Register.

12.2 Where a vacancy has been identified by the Employee Relations Section as being suitable for consideration by employees in detriment then the process outlined in Section 6 above will be followed with the exception that the employees concerned will not be under any notice of termination of employment.

13. TUPE LATERAL TRANSFER

13.1 Employees whose post is being transferred under the Transfer of Undertakings (Protection of Employment) Regulations (TUPE), who have expressed a wish to remain in the Council's service and not transfer to their new employer will be

entitled to be redeployed under the TUPE Lateral Transfer Scheme where a suitable vacancy exists prior to the transfer date.

13.2 Where a vacancy has been identified, by Human Resources, as being suitable for consideration by these employees, then it will be filled on a restricted basis.

13.3 Thereafter the process outlined in paragraph 5 above will be followed with the exception that the employees concerned will not be under any notice of termination of employment but will have a date for their TUPE transfer.

14. OTHER CIRCUMSTANCES NOT DEFINED ABOVE

14.1 Employees who as a result of the Disclosure (Scotland) vetting process are identified as no longer being suitable to continue in their current post may be entitled to be redeployed in the first instance, depending on the particular circumstances of the case.

14.2 Employees will be formally notified of the outcome of the Disclosure (Scotland) vetting process by their department and thereafter the process outlined in paragraph 5 above will be followed.

14.3 Employees in child care posts who as a result of being referred for inclusion or places on the Disqualified From Working With Children List depending on the circumstances may be considered for redeployment to a post within the Council which is not a designated child care post.

15. APPEALS PROCEDURE

15.1 Where an employee is dissatisfied with an offer of redeployment, or where they are refused an opportunity to be redeployed to a specific post they may raise a grievance under the Council's Grievance Procedure in the usual way before the expiry of their notice period.

16. COMPLAINTS

16.1 Employees who feel that they have not been dealt with fairly under the Redeployment Policy and Procedures can raise a grievance under the Council's Grievance Procedure in the usual way.

17. RECORD KEEPING

17.1 It is important that accurate record keeping is maintained throughout the redeployment process. All correspondence and documentation must be kept confidential in accordance with the Data Protection Act 1998.

17.2 A record of all redeployments will be retained confidentially within the Department of Corporate Support (Human Resources) in accordance with the terms of the Council's Retention Policy. The content, nature and outcome of the redeployment

process will also be summarised and used for statistical purposes and to establish patterns and consistency.

18. MONITORING/REVIEW

- 18.1 To ensure that the Redeployment Policy and Procedures are applied effectively, Human Resources will monitor them on an ongoing basis. The Policy and Procedures will be reviewed on an annual basis or earlier if required following any changes in the relevant legislation or operational requirements.

Human Resources
April 2010



East Ayrshire
COUNCIL

Appendix 1

EAST AYRSHIRE COUNCIL

EMPLOYEE PERSONAL PROFILE FORM

Please complete this form in full. If you are unable to complete this form, please include your name and designation on any additional sheets used. Do not attach a CV.

1. Personal Details

Name:	Department:
Home Address:	Work Address:

Home Tel No:	Work Tel No: E-Mail:
Current Post:	Post Grade:
Pay Details: (Including any contractual payments)	Date Commenced Employment with East Ayrshire Council:

Contracted Weekly Hours of Duty Including Details of Work Pattern:

Do You Have a Current Driving Licence:
YES/NO
(delete as appropriate)

2. Training and Qualifications: Please detail any qualifications you hold and other training which you consider relevant.

3. Current Duties: Please describe your current duties and responsibilities. Specify to which post you report and your key areas of responsibility, including responsibility for supervision of other employees.

4. Previous Relevant Experience: Briefly summarise your previous experience both within and outwith the Council.

5. Abilities, Skills, Knowledge: Please detail your abilities, skills and specialist knowledge which you feel are relevant to your application.

6. Additional Information: Include any major achievements, projects you have been responsible for, or any relevant information not covered above. This can include activities outside work.

Please return this form to:

For Office Use Only

Date Personal Profile Form Received: _____ Name: _____

EAST AYRSHIRE COUNCIL

REVIEW OF ORGANISATIONAL STRUCTURES

PROCEDURE FOR TRANSFER AND MATCHING OF EMPLOYEES TO POSTS

INTRODUCTION

This document sets out the procedure to be followed on the transfer and matching of employees to posts during a period of reorganisation.

The procedure has been agreed jointly between the Council and its Trade Unions and its use during any reorganisations will be the subject of review and agreement between both parties if deemed necessary.

1. Transfer Procedure

- 1.1** All transfers and matching to posts will be based on the grade and duties of the individual's substantive post.
- 1.2** Employees on part-time or job-share contracts of employment will be transferred or matched on the basis of their existing substantive post. Employees wishing to change to full-time working can apply for any posts advertised in the new structures.
- 1.3** Employees working in functions which are transferred in full and unchanged or in any area of work which will not change as an immediate result of the reorganisation will transfer to the new organisational structure and will not be subject to the matching procedure. It is expected that the majority of employees will transfer with no change to their jobs. Where there is any need to change the job remit to fit in to the revised structure the employee concerned and their trade union will be consulted.

2. Matching Procedure

- 2.1** The matching process will apply to all posts in the draft departmental structures which have been issued to Trade Unions for consultation.
- 2.2** Matching will be carried out on a layered basis from top down with employees grouped according to function and those doing broadly comparable work being considered together.
- 2.3** The grouping of employees for matching will be determined by each Executive Director, in consultation with the Head of Human Resources, following which appropriate Trade Unions will be consulted with a view to securing agreement in respect of each department. In respect of Chief Officers, the grouping of employees for matching will be determined by the Chief Executive.

- 2.4** Where a sufficiently close fit is found between posts and transferring employees (in terms of existing grade, duties, responsibilities, skills, knowledge and experience) no further matching will be required at that level. The employees concerned will be matched on a one for one basis to the posts.
- 2.5** Where there is not a sufficiently close fit and/or there are more persons being transferred than posts available, selection for posts will be conducted by the Executive Director, or other senior designated officer, by means of restricted competitive interview. For Chief Officers, selection in such circumstances, will be conducted by a panel of elected members in accordance with the Council's Recruitment and Selection Policy and Procedures.
- 2.6** Where restricted competitive interviews are necessary, the employees identified for interview will be required to complete the Employee Personal Profile Form which will be used as the basis for the interview. Job Outlines will be prepared for each post to assist the Interview Panel and will be available to the employees concerned.
- 2.7** Where, following a restricted interview, either management or the employee determines that the proposed redeployment is not suitable, then Human Resources must be advised in writing of the reasons for their decision with particular reference to the Person Specification and Job Outline for the post in question.
- 2.8** On receipt of this information, Human Resources taking into account all relevant factors will consider what further action to take. This may include: -
- further discussion on the matter with the manager concerned
 - advertising the vacancy in accordance with the Recruitment and Selection Procedures;
 - referring the matter to the Head of Human Resources for a final decision.
- 2.9** Thereafter, the employee will be advised of the final outcome by Human Resources. Where an employee is unsuccessful at restricted competitive interview and therefore does not secure a post at a given level, that employee will be advised that they will be retained on the Redeployment Register. The Head of Human Resources after consultation with Management will determine how long an employee will be retained on the Redeployment Register with the employee given the appropriate notice of termination of employment by their Line Manager after liaison with the Departmental Human Resources Officer. If the employee has not been redeployed at the end of the notice period then their employment will be terminated by the Council and they will receive all relevant statutory payments due. The employee will have had the right of appeal against any dismissal when issued with the letter confirming the notice period.
- 2.10** Where a post remains unfilled through the matching process or is subsequently vacated following matching and there are no suitable employees retained on the Redeployment Register then the post will be advertised in accordance with the Council's Recruitment and Selection Policy and Procedures.
- 2.11** Employees who do not wish to be retained on the Redeployment Register should advise the Head of Human Resources, in writing, of their decision at the earliest opportunity.

3. Appeals Procedure

3.1 Any employee who considers that Management has failed to properly observe the procedure as outlined above may raise a grievance under the Council's Grievance Procedure in the usual way. This is in addition to any appeal lodged or heard under Section 2.9 above.

4. Pay and Conditions

4.1 The Council will make every effort to redeploy employees to a post with an equivalent salary. However should this not be possible then the employee may be offered an alternative post which would be on the pay, terms and conditions applicable to that post.

4.2 Employees will not be redeployed into a higher graded post except in exceptional circumstances.

**Human Resources
November 2009**

What happens at the Redeployment Discussion?

An informal discussion will take place in a private setting between yourself and your Departmental Human Resources Officer and/or a representative from the Employee Relations Section.

At this meeting, the redeployment procedure will be outlined to you together with the redeployment timescales involved. You will also be advised of any potential impact on your pay, pension and terms of conditions.

Throughout the discussion you will be provided with advice and guidance regarding your current expectations of a suitable alternative post.

You have the right to be represented at this meeting by your Trade Union Representative or a work colleague.

The duration of the meeting will depend on your individual circumstances and you will be given the opportunity to ask any questions.

A note of the discussion will be taken and used for the purpose of matching you to a suitable vacancy within the Council.

Sample questions which may be asked at the discussion may include the following:-

- What kinds of jobs and duties you feel would be suitable/not suitable e.g. working directly with children, older people, public?
- Are you able to work shifts/weekends?
- Are you able to work anywhere within the Council's boundaries e.g. access to car?
- What is your work history?
- What are your current duties and responsibilities?
- Do you have any specialist knowledge and skills?
- What training have you undertaken and what kind of training do you feel would assist you in obtaining suitable alternative employment?
- If appropriate what kind of duties do you feel you would be able to undertake given your current medical condition?

- If appropriate are there any reasonable adjustments which the Council should consider while seeking suitable alternative employment for you?
- Is there any other relevant information to support your application for redeployment?

Appendix 4

Dear (name of employee)

OFFER OF TEMPORARY 4 WEEK WORK TRIAL

DEPARTMENT:

POST OF:

I refer to your recent discussion/interview* in terms of the Council's Redeployment Policy and Procedures and have pleasure in offering you a temporary appointment to the above post for 4 week work trial.

Your work trial will commence on (day and date) and you should report to (name of line manager) at (location) at (time). During the work trial you will carry out the duties of the above post as detailed in the attached job outline.

I confirm that during this period you will continue to be paid on your current basic contractual salary/wage* by your present department.

A review will take place before the end of your work trial to give both you and the department an opportunity to establish your suitability for this post. If the redeployment option is satisfactory on both sides then this arrangement will be made substantive and a formal offer of appointment will be issued to you on the salary grade and terms and conditions applicable to the post.

I shall be pleased to hear from you on whether or not you wish to accept this offer of a 4 week work trial. If you are accepting this offer please sign the statement at the bottom of the page and return the letter to me as soon as possible.

Yours sincerely

Name
(designation)

I hereby accept this offer of a 4 week work trial as outlined above.

Signature _____

Date _____

Name _____

(BLOCK LETTERS)

*delete as appropriate

EAST AYRSHIRE COUNCIL
REDEPLOYMENT POLICY AND PROCEDURES
REDEPLOYMENT DISCUSSION

Name of Employee:	_____
Designation:	_____
Department:	_____
Name of HR Representative:	_____
Date of Meeting:	_____

SECTION 1				
Personal Profile Completed:	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>

SECTION 2			
Reason For Redeployment:			
Redundancy	<input type="checkbox"/>	Health Reasons	<input type="checkbox"/>
Work Performance	<input type="checkbox"/>	End of Temporary Appointment	<input type="checkbox"/>
Disciplinary Transfer	<input type="checkbox"/>	Job Development Strategy	<input type="checkbox"/>
TUPE Lateral Transfer	<input type="checkbox"/>		

SECTION 3 -
Outcome of Discussion: (This may include whether the employee may consider a change in their contracted hours if not successful in finding suitable alternative employment within the notice period.)
Action Plan:
Timescale:

