

## **Medical Redeployment Policy and Procedure**

### **Policy**

1. The aim of this policy is to, wherever possible, enable employees who are suffering from disability or ill health and unable to continue within their current role, to be redeployed to other employment with the authority, thus retaining valued skills and experience.
2. The authority will apply the following principles when dealing with medical redeployment:
  - Redeployment will be dealt with in a way that is non-discriminatory and in accordance with the Disability Discrimination Act and the authority's Comprehensive Equalities policy
  - Employees will be dealt with consistently and the redeployment procedure will be fairly applied across the authority
  - Medical redeployment cases will be conducted with respect for confidentiality and sensitivity and in accordance with the requirements of the Data Protection Act and the Access to Medical Reports Act
  - Open communication between managers and employees will be encouraged and promoted
  - The employee will be offered appropriate training and support to aid them during the redeployment process
  - A trade union or other representative (employed by the authority) may accompany the employee during any meeting held under the medical redeployment procedure
  - The pursuit of redeployment opportunities will normally continue for a maximum period of 3 months from the date the need is established, with regular reviews during the period; and
  - The medical redeployment policy and procedure will be monitored and reviewed to ensure that it continues to meet the authority's aims and comply with these principles. Staff and trade union representatives will be encouraged to be involved in this process
3. Employees who are subject to this procedure will be expected to:
  - Actively engage in the process

- Maintain contact and communicate effectively with their manager and the Personnel Unit.
  - Undertake any support or training which may aid their redeployment opportunities; and
  - Attend any review meetings or occupational health appointments with the Council's Medical Adviser (CMA)
4. In order to support this policy, the following mechanisms are available to managers and employees:
- Medical Adviser services – to provide advice and guidance on the medical issues relating to the redeployment process
  - Counselling service (via Personnel)– to provide a confidential service to employees in order to discuss any concerns they may have
  - Personnel Unit – to provide support and guidance to managers and employees in the use of the redeployment procedure and to arrange training in relation to specific job-related skills and where applicable, applying for jobs.

## **Procedure**

### **Occupational health recommendation**

5. The medical redeployment procedure will apply if the CMA, following consultation with the employee's GP and /or specialist recommends that redeployment on medical grounds should be investigated. This does not prevent an employee from pursuing alternative employment with the authority, through the authority's usual recruitment and selection process.
6. If the employee disagrees that redeployment should be pursued, they should raise their objections with the Personnel Unit. The CMA may review the recommendation but if their recommendation remains the same, the authority will consider what further action to take in relation to the employee's employment, based on the recommendations they have received and the employee's work situation.
7. The employee will be paid their normal sick pay entitlement during the redeployment process.

## **Redeployment meeting**

8. Following the recommendation from the CMA, a meeting will be arranged between the employee, their line manager and Personnel. The purpose of the meeting will be to explain to the employee:
  - the CMA's recommendation,
  - the medical redeployment policy,
  - what support mechanisms are available during the medical redeployment period
  - the period during which redeployment may be pursued and
  - the implications of redeployment being unsuccessful.
9. The employee will also be provided with a copy of the medical redeployment policy and procedure.

## **Work experience**

10. In order to help the employee to gain experience of different job opportunities within the authority or to help develop specific skills, the authority will attempt to find work experience opportunities for the employee while redeployment is pursued.
11. Employees will be expected to undertake such work experience, unless medical advice recommends otherwise.
12. These opportunities will be temporary placements and there are no guarantees that they will become a permanent redeployment opportunity.

## **Jobs covered by the redeployment procedure**

13. The support and guidance available to an employee covered by this procedure will apply to any job vacancy within the authority, regardless of the level of responsibility or terms and conditions of the job.

## **Redeployment reviews**

14. A review of the progress of redeployment should take place every four to six weeks during the period while redeployment is being pursued. A meeting should take place involving the employee, their representative, Personnel and the line manager. The purpose of the meeting will be to discuss what actions the employee and the authority have taken during the period, whether there are other options, such as training, support or

different types of jobs that could be pursued and what further action should be taken.

15. If there are concerns at any time regarding the employee's medical ability to pursue redeployment or concerns as to whether a vacancy is medically suitable for the employee, these will be raised with the CMA.

### **Process to identify suitable alternative post**

16. In order to enable suitable alternative jobs to be identified, the employee will be asked to complete a form that sets out details of their employment history, work experience, skills and qualifications. The employee will be provided with support and guidance to enable them to complete this generic application form. The completed form will be used to identify possible suitable alternative posts from available vacancies. The employee will be sent details of the job description and person specification for consideration.
17. In addition, the employee will receive information each week on all the job vacancies that are currently available within the authority, prior to the vacancies being advertised more widely. These vacancies will be circulated to all employees who are pursuing redeployment (whether under the medical redeployment or redundancy redeployment procedures). If the employee identifies a job vacancy that they are interested in they should contact Personnel to gain further information on the position (such as the job description and person specification) and inform them within 3 days, of their interest.
18. Where a possible post is identified the appointing department will be consulted and consideration will be given to whether any additional training or support, or other adjustments, may reasonably be made to enable the employee to undertake the role.
19. If the employee is interested in a position identified under either scenario above, Personnel will seek confirmation from the CMA that the post is medically suitable, taking into account reasonable adjustments.
20. If the CMA confirms that the post is medically suitable and the appointing department is satisfied that the employee can, with reasonable additional training, support, or other adjustments, perform the duties of the post successfully, the employee will be offered the post. This can be on a trial basis if needed.
21. Where there is more than one person expressing interest in the same job, the appointing department and Personnel may need to arrange a selection process in order to determine who is most suitable. If the employee is

unsuccessful, the appointing department should explain the reasons for the decision.

### **Job offers**

22. The employee should agree with the appointing department and their current line manager a start date for the new post.
23. A risk assessment should be undertaken on the redeployment opportunity.
24. During the first three months of employment in the new job, the employee, their representative (if applicable), the new line manager and Personnel should meet every four to six weeks to review the employee's progress.
25. If any concerns are raised regarding the employee's ability to undertake the new role advice should be sought from the CMA. Decisions should be made regarding what further steps to take following receipt of this advice.
26. If any additional training or support is required to enable the employee to become fully accustomed to their new job this should be arranged as soon as possible.
27. In circumstances where an employee redeploys to a lower grade job, then their pay, including any increment or other award, of the employee concerned shall be protected on a personal basis.
28. This will be on condition that such employee shall not unreasonably refuse a subsequent offer of employment in an alternative suitable employment where the normal payment for that alternative employment matches or nearly matches the level at which the employee's pay has been preserved. A condition to this effect shall be included in the contract of employment.
29. The protection of pay will be as follows:
  - Three years at present spinal column point. Nationally negotiated pay awards will be paid.
  - After three years, the employee's salary will be the maximum of the grade for the post in which he or she is re-deployed.
30. If for any reason the employee's post is re-graded during the protection period then:
  - if the grade is reduced, the protection continues as above;
  - if the grade is increased, but the salary level is still below the protected level of the employee, the protection continues as above;

- if the grade is increased to the level at which the employee is protected, then the protection ceases and the employee will receive annual increments to the top of the scale in the normal way;
- if the grade is increased so that the maximum of the grade is greater than the protected salary level the protection is removed and the employee will be assimilated onto the new grade at the higher of the existing spinal column point or the minimum of the grade.

### **Unsuccessful redeployment**

31. Where the redeployment period is coming to an end and/or where there are concerns about the success of the redeployment process, decisions will need to be made regarding what further action or steps can be taken in relation to the employee's employment. Advice should be sought from the CMA, setting out what actions have been taken during the redeployment process, to determine whether any other options such as a return to the original role or ill health retirement could be pursued.
32. A capability hearing should be arranged, as set out in the authority's sickness absence and ill health procedure, to determine whether or not employment should cease.
33. If an employee is issued with notice of termination of employment, medical redeployment will continue to be pursued during the notice period and notice will be withdrawn (with the agreement of the employee) if a suitable redeployment opportunity is found.