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Lewes District Council



Working in partnership with **Eastbourne Homes**

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Contents

1.	Introduction	1
2.	Equality and Diversity	1
3.	Procedure	1-3
4.	Pay	3
5.	Unsuccessful redeployment	3-4

1. Introduction

- 1.1 The aim of this policy is to, wherever possible, enable employees who are suffering from disability or ill health and are unable to continue within their current role, to be redeployed to other employment within the organisation, therefore retaining valued skills and knowledge.

2. Equality and Diversity

- 2.1 The councils are committed to good practice in equality and diversity, and to meeting our statutory equality responsibilities, both as an employer and in the provision of services. Redeployment will be dealt with in a way that is non-discriminatory and in accordance with the Equalities Act (2010)
- 2.2 An equality and fairness analysis has been conducted and will be reviewed periodically.
- 2.3 Where a staff member requires a meeting to discuss medical redeployment they may be accompanied by an appropriate person to provide support, in addition to their right to be accompanied by a colleague or trade union official. The manager responsible for the meeting should ensure reasonable adjustments and special arrangements are considered where possible.
- 2.4 Staff members are encouraged to advise their line manager and subsequent managers of their needs and requirements to ensure they are known to the councils and can be supported where possible. There may be a requirement to attend an occupational health assessment so that the council can seek professional advice on medical conditions.
- 2.5 Medical redeployment cases will be conducted with respect for confidentiality and sensitivity and in accordance with the requirements of GDPR and the Access to Medical Reports Act.
- 2.6 The support and guidance available will apply to any job vacancy within the authority regardless of the level of responsibility or terms and conditions of the appointment.

3. Procedure

- 3.1 Occupational Health Recommendation
The medical redeployment procedure will apply if the occupational health report, following consultation with the employee's GP and/or specialist recommends that redeployment on medical grounds be investigated. This

does not prevent an employee from pursuing alternative employment within the organisation through the usual recruitment and selection process.

3.2 If the staff member disagrees with the decision to redeploy on medical grounds, they should raise their objections with a HR Business Partner.

Occupational Health may review the recommendation, but if their recommendation remains the same, the councils will consider what further action to take in relation to the employment, based on the recommendations received and the work situation of the member of staff it concerns.

3.3 Redeployment Meeting

Following the recommendation from the occupational health report, a meeting should be arranged between the staff member, their line manager and HR.

The purpose of the meeting will be to discuss:

- The recommendation from Occupational Health
- The Medical Redeployment policy
- The support available during the process
- The 12 week time frame allocated to the redeployment
- What happens if the redeployment is unsuccessful

3.4 Redeployment Reviews

During the redeployment period, a review will take place every four weeks.

This should involve a meeting with the staff member, their representative, the line manager and HR. The purpose of the meeting will be to discuss:

- What actions the staff member has taken during the period
- What actions the organisation has taken during the period
- If there is any additional support that can be provided such as training
- What vacancies have arisen during the period

3.5 Identifying a suitable role

Job vacancies will be circulated to all staff members that are pursuing redeployment (whether under the medical redeployment or redundancy redeployment procedures) prior to the vacancies being advertised more widely. This will include the job description and person specification. If a suitable position is identified the staff member should complete an abridged application form (available on the hub) and forward this to HR within 7 days of the date on which the vacancy was sent to them.

3.6 If the staff member meets the selection criteria and person specification, they will then go through the recruitment process.

3.7 If successful following an interview, HR, with the staff members' permission, will seek information from Occupational Health as to whether or not the post is

medically suitable and whether any additional training, support or adjustments need to be made.

- 3.8 If the outcome of the occupational health referral is that the new role is medically suitable, and the appointing department is satisfied that the staff member can, with reasonable additional training, support, or other adjustments, perform the duties of the post successfully, the staff member will be offered the post. If suitable, this can be on a trial basis which will be between 3 and 6 months.
- 3.9 A risk assessment should be undertaken on the new role, which can be revisited periodically
- 3.10 Job Offers
The member of staff should agree a suitable start date with the recruiting manager and their current line manager.
- 3.11 The staff member should meet with their line manager every 4 weeks for 6 months through appointment support to review their progress. If any additional training or support is needed this should be arranged as soon as possible

4. Pay

4.1 In circumstances where a staff member redeploys to a lower grade role than their current pay, including any increment or other award pending, their pay will be protected as follows:

- Year 1 100% of previous salary
- Year 2 66% of the difference between the new and old salary
- Year 3 33% of the difference between the new and old salary

Pay will then reduce to the highest spinal column point of the grade of the new post.

- 4.2 Pay protection will be on the condition that the staff member had not unreasonably refused a previous offer of employment in an alternative suitable role, where the salary matches or nearly matches the level at which the pay would be preserved.
- 4.3 If the new role is at the same or a higher spinal column point, pay protection will not apply.

5. Unsuccessful redeployment

5.1 Where the redeployment period is coming to an end without successfully obtaining an alternative role and/or where there are concerns about the

success of the redeployment, decisions will need to be made as to what further action or steps can be taken in relation to employment. Advice should be sought from Occupational Health to determine whether any other options such as returning to the original role or ill health retirement could be pursued.

- 5.2 A capability hearing should be arranged in line with the Attendance Management policy, to determine if the employment can continue. The capability hearing would be in line with the councils agreed policy and procedure including the right to appeal the outcome.
- 5.3 If the staff member 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 staff member) if a suitable redeployment opportunity is found.