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## REDEPLOYMENT PROCEDURE

### Introduction and Aim

This procedure has been written to accompany the Redeployment Policy.  
The document sets out the procedure to be followed when employees need to be transferred in to suitable alternative employment within Public Health Wales.

### Linked Policies, Procedures and Written Control Documents

[All corporate policies and procedures are available on the Public Health Wales website](#)

Redeployment Policy

[Managing the Expiry of Fixed Term Contracts Procedure](#)

[Organisational Change Policy](#)

[Respect and Resolution Policy](#)

[Managing Attendance at Work Policy](#)

### Scope

The contents of this document will apply to all employees of Public Health Wales

### Equality and Health Impact Assessment

An Equality, Welsh Language and Health Impact Assessment has been completed and can be viewed on the policy webpages.

### Approved by

People and Organisational Development Committee

### Approval Date

06 February 2024

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<b>Summary of reviews/amendments</b>				
<b>Version number</b>	<b>Date of Review</b>	<b>Date of Approval</b>	<b>Date published</b>	<b>Summary of Amendments</b>
1	05/2023	06/02/24	22/04/24	<p>Revised policy with procedure document and flow chart</p> <p>Minimum length of service to qualify for redeployment has been introduced</p>

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## **1 Introduction**

This procedure outlines the process to be followed when an employee needs to be redeployed for reasons other than organisational change and should be read with alongside The Redeployment Policy. The All Wales Organisational Change Policy (OCP) sets out the process for staff who need to be redeployed due to organisational change.

## **2 Roles and responsibilities**

This section outlines the roles and responsibility for:

- Line Managers (existing Managers)
- Appointing Managers

Whilst the process of attempting to find a redeployment opportunity is co-ordinated by People and OD, the responsibility and ownership for actions taken is shared with the Managers as well as with the individual concerned.

## **3 Procedure/Process/Protocol**

### **3.1 Representation**

Public Health Wales is committed to partnership working and will work in partnership with the individual and their representative at all stages of the redeployment procedure. Employees are entitled to be accompanied by a trade union representative or a work colleague, not acting in a legal capacity, at any stage in the process, apart from informal or competitive interview.

### **3.2 The Redeployment Meeting**

When it is identified that an employee requires redeployment, the Substantive Line Manager will arrange to meet with them. The employee may wish to be accompanied by a union representative or workplace colleague. Where possible, the employee should complete the Redeployment Proforma (Appendix A), identifying their skills, qualification and experience, prior to the meeting and this should then be discussed during the meeting.

During the meeting the stages of the Redeployment Procedure will be discussed and each person's role and responsibilities within the process explained and next steps clarified. A letter (Appendix C) confirming the discussions which took place at the meeting and, giving the employee notice of termination of their contract of employment (where appropriate), should be sent to the employee by their line manager.

### **3.3 Trac Recruitment System**

Following the redeployment meeting the proforma will be submitted by the Substantive Line Manager to [PeopleSupport.PHW@wales.nhs.uk](mailto:PeopleSupport.PHW@wales.nhs.uk) and the employee will be added to the redeployment pool on the Trac database, indicating the start and end dates of the search period. The employee will receive regular e- mail updates from the Trac system and should access an e- mail account regularly. If the employee has not found suitable alternative employment and is still on the register at the end of the search period, they will receive a final e- mail advising them that the search is coming to an end.

### **3.4 Timescales**

Opportunities will be sought for 12 weeks, excluding any trial periods. This 12 week period will include the employee's contractual notice period. Where the redeployee is not entitled to 12 weeks' notice, it will be made clear to them on what date during the 12-week search period their contractual/statutory notice period will start. This will be confirmed by the line manager in writing.

Dependent on the circumstances of the case, this period may be extended beyond 12 weeks following discussion between the Substantive Line Manager, People and OD Representative and Trade Union/ staff-side representative/ accompanying work colleague. Conversely, in exceptional circumstances the period will be less than 12 weeks in line with accrued notice periods. This should be discussed with a People and OD Representative in the first instance.

### **3.5 Identification of Suitable Alternative Employment**

Suitable alternative employment is employment that is 'substantially equivalent' to the employee's current post, taking into account the employee's skill set and job content, terms of pay, working hours, status, band, location and working environment.

In line with the [All Wales Organisational Change Policy](#), posts will be considered to be suitable for redeployment if they fall within the same pay band or one pay band lower. Unless on health grounds or specifically requested/ agreed to by the member of staff, redeployment will not normally be to posts which are more than one pay band lower than the existing role.

Where a member of staff who becomes/is disabled and needs adjustments made to enable them to be redeployed into another post, specialist advice will be sought in relation to their practical needs which may be accessed through Occupational Health or from external sources, for example the Disability Employment Advisor (Employment Service), Shaw Trust, Remploy Interwork or other specialist organisations/ charities. For further guidance please see Appendix X – Reasonable Adjustments.

Wherever possible the opportunity to apply for a vacant post should be given to redeployment candidates before anyone else. Where a potential match is identified (the employee's skills, experience, qualifications meet the minimum requirements on the Person Specification) the employee will typically be notified by Trac. The

employee should contact [PeopleSupport.PHW@wales.nhs.uk](mailto:PeopleSupport.PHW@wales.nhs.uk) to let them know of any vacancies that they identify as suitable. A People and OD Representative will liaise with the employee, substantive line manager and appointing manager to arrange an informal interview and share the relevant paperwork i.e. Job Description/Person Specification and Redeployment Proforma.

Should there be any disagreement about whether or not a role is a suitable alternative, this should be discussed with a People and OD Representative initially. Where necessary, resolution can be sought under the [Respect and Resolution Policy](#).

### **3.6 Informal Interview**

Where only one redeployee expresses an interest in a vacancy, and meets the essential criteria for the post, the appointing manager will meet with them to discuss the role in greater detail and identify whether the employee's skills, knowledge and abilities match the essential criteria of the person specification. Any limitations, reasonable adjustments, training needs and the ability to work at different locations and/or different hours will also be explored. A more formal interview or assessment may be required where there is a need to establish specific skills or knowledge which can only be assessed in this way.

Where there is more than one redeployee interested in the post, competitive interviews will take place.

Occupational Health advice may be sought to establish whether a post offered through redeployment on the grounds of ill health is suitable for an employee and whether any reasonable adjustments should be considered. The redeployment process does not preclude the employee from applying for any posts via the normal recruitment process at any stage.

### **3.7 Trial Period**

To overcome any concerns on the part of the employee and receiving manager, any redeployment will be subject to a trial period of between 4 and 12 weeks, during which time any notice given will be suspended. The trial period is funded by the receiving manager. It may be necessary to extend the trial period (e.g. to enable additional training to be completed or annual leave taken) but it must not be for more than a total of 6 months.



The appointing manager should set out and agree clear, achievable objectives with the redeployee at the beginning of the trial period so that progress can be monitored by all parties. There should be regular meetings throughout the trial period to review progress against the objectives, any training agreed and support provided. This should be documented. Reviews by Occupational Health may also be appropriate if the redeployment is due to health issues.

If all parties agree that the redeployment is not working out, the trial period could be ended early, or if everything is going well the individual can be made substantive sooner.

If the trial period is deemed unsuccessful and ended early, the individual will stay on the redeployment register for the remaining weeks of the original redeployment period. Details of why the redeployment was unsuccessful should be retained on the individual's personal file. At the end of the trial all parties will meet to formally review the situation and decide if the employee will be redeployed permanently into that post. If a redeployment trial period is unsuccessful, normally one further opportunity will be sought i.e. a total of two. If an offer of redeployment to a post which is considered to be appropriate and reasonable is rejected by the individual, no further redeployment will be offered. In exceptional circumstances, e.g. to ensure compliance with the Equality Act 2010, a maximum of three trial periods may be provided if it is possible to do so.

With the exception of redeployment due to capability or disciplinary issues, during the trial period the individual's pay will continue as if the individual was in work in their existing substantive post and excess travel / car parking will be paid. Basic salary and additional payments will be taken as the average over the 4 months immediately preceding the first day in the trial post, but excluding any temporary increase, acting up allowance or secondment. In exceptional circumstances, where this 4 month period is considered to be atypical and unrepresentative of the individual's normal working pattern, a different 4 month period may be designated for the purposes of this calculation.

In circumstances whereby an employee on a fixed term contract undertakes a trial which extends them past their fixed term end date, and where no further funding has been identified for the substantive role, the substantive and appointing manager should, in conjunction with a People and OD Representative, discuss and agree how the trial period will be funded.

### **3.8 Redeployment Opportunity declined / No suitable alternative found**

If employees are not interested in a vacancy which has been identified as potentially suitable, the People and OD representative will discuss the implications of their decision with them and their Substantive Line Manager and their reasons for declining the opportunity will be noted.

There is an expectation that appointing managers will be required to consider suitable candidates before any other applicants. Appointing managers who choose not to offer a trial period must provide substantiated and reasonable evidence for their decision. The reasons will be provided in writing and shared with the individual to assist them in the future. The decision to not offer a trial period must be based solely on the redeployment proforma, the informal/formal interview and Occupational Health advice (where appropriate).

### **3.9 Redeployment to a Fixed Term Contract**

Redeployment into a fixed term contract should only be considered if there are no permanent posts available. Should the employee be redeployed into a fixed term contract, the employee will continue to accrue redundancy rights for the duration of the contract. Any liability for redundancy payments at the end of the fixed term duration will remain with the department who first recruited the employee. Management of the redeployment procedure at the end of the fixed term duration should be by the current Line Manager but they should keep the original Line Manager informed of progress.

### **3.10 Redeployment due to expiry of Fixed Term Contract**

Where an employee is employed on a fixed term contract to undertake a specific role and that role becomes permanent, in situations where the employee secured the post through a competitive process, and there are no others employed in other similar fixed term roles in that area, the postholder's contract can be converted in to a permanent contract without them having to be on the redeployment register.

### **3.11 Protection of Salary**

Protection of pay will only apply in cases of redeployment as a result of sickness (refer to the [Managing Attendance at Work Policy](#)), organisational change or where the employee is found to be a victim of bullying and harassment, under the terms of the Respect and Resolution policy.

The duration of the short term pay protection will be based on the individual's length of continuous NHS service and will be funded by the substantive (i.e. original) department.

If redeployment is to a lower pay band then the appointment will be made to the highest available point of the pay band allowable under NHS Terms and Conditions of Service Handbook.

If a member of staff wishes to be redeployed into a post which is more than one pay band lower than their current substantive post, this will not be deemed to be a 'suitable alternative post' and negotiation between the appointing manager and member of staff will take place to agree a reasonable level of protection in these circumstances. Any such situations MUST be referred to the People and OD team for advice, before agreement is reached.

### **3.12 End of Redeployment Process**

If it is agreed that the trial period is successful and the individual is made substantive in that post the appointing manager must update Trac and any appropriate NHS employment checks must be undertaken. The substantive line manager should complete the relevant leavers' process.

Should the search for suitable alternative employment prove unsuccessful employment may be terminated in line with the contractual notice provisions. The substantive line manager must ensure that payroll is informed of this by updating ESR, or where appropriate completing a termination form, towards the end of the 12 week search. (Link to Leavers Process)

### **3.13 Temporary redeployment due to sickness absence**

There may be occasions when Occupational Health, General Practitioner or Consultant suggests that it may be appropriate for a member of staff to undertake work outside of their area of work for a specific period of time as an aid to their rehabilitation and return to normal substantive post. These instances should be managed in line with the [Managing Attendance at Work Policy](#).

Where the redeployment is only required for a limited time, such as in cases of rehabilitation back to work following ill-health then the employee's substantive post will be kept open. Such arrangements will take into account any Occupational Health advice.

### **3.14 Appeals**

Any employee who feels they have been treated unfairly during the redeployment process, or can demonstrate that the procedure has not been properly followed, can raise their concerns as part of their appeal against termination or in line with the [Respect and Resolution Policy](#). Any appeals against termination should be submitted in line with the relevant policy (e.g. Managing Attendance at Work, Capability, and Organisational Change Policy)

## 4 Appendices

### Redeployment Flow Chart:

