



REDEPLOYMENT POLICY
For School Based Employees

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1. PURPOSE

- 1.1 This procedure sets out how the Council will approach redeployment in Community and Voluntary Controlled (VC) Schools in Central Bedfordshire Council. There is a statutory requirement to search for suitable alternative employment for staff who are due to be made redundant. Schools and the Local Authority (LA) may be vulnerable to claims at Employment Tribunal if there is no demonstrable formal procedure in place to find alternative employment for staff who are 'at risk' of redundancy.
- 1.2 Redeployment is the process of seeking suitable alternative employment for a member of staff who cannot continue in his/her post normally, but not exclusively, as a result of redundancy. The aim of redeployment is to save costs, avoid unnecessary recruitment, avoid compulsory redundancies and to enable employees to move to other suitable positions in either the Council or other schools under the circumstances below.
- 1.3 The other circumstances where redeployment can apply are;
 - The ending of a Fixed Term Contract
 - Health grounds - only when specifically recommended by the Schools Occupational Health Advisor as an alternative to dismissal
 - Capability grounds - as an alternative to dismissal
- 1.4 Headteachers should seek advice from their HR provider about redeployment in any of the above circumstances.
- 1.5 The advantages for considering redeployment for both the Council and Schools are:
 - The costs associated with the termination of contracts, especially in cases of redundancy as the costs are considerable across the Council and nationally.
 - There are areas of staff shortage, regionally and by discipline, and there is little to justify losing staff in schools, when some schools are struggling to recruit.

2. SCOPE OF THE PROCEDURE

- 2.1 This procedure applies to teaching and support staff employed by Community and VC schools on permanent and fixed term contracts.
- 2.2 This procedure is maintained and administered by the Schools Statutory HR team with support from the HR Shared Services team.
- 2.3 Schools may be at risk of redundancy costs being delegated to their school budget if they refuse to engage with this redeployment procedure as outlined in the Central Bedfordshire Council 'Scheme for Financing Schools' document:

11.12 Redundancy/early retirement costs

The 2002 Education Act sets out how premature retirement and redundancy costs should normally be funded.

The default position is that premature retirement costs must be charged to the schools delegated budget, while redundancy costs must be charged to the Local Authorities (LA) budget.

However, redundancy costs will be delegated to a schools budget if:

- *A school acts outside the authorities policy*

- *The LA believes the redundancy is not necessary*
- *The redundancy has arisen due to a deficit within the schools control*
- *A school has refused to engage with the LA's redeployment policy*

3. ROLES AND RESPONSIBILITIES

Schools

- 3.1 Headteachers have an obligation to assist staff who are eligible for redeployment to find alternative positions within the Council by guiding them through the redeployment process, providing some guidance on what positions might be available for redeployment opportunities and sharing information about vacancies with them.
- 3.2 Headteachers should provide the employee with a copy of the [career profile - schools](#) to complete and return to hrservicesschools@centralbedfordshire.gov.uk. The career profile must be signed by the Headteacher before being submitted by the employee. Headteachers should make the employee aware it is crucial that the information provided by them is accurate and detailed as this will assist with the job matching process.
- 3.3 The redeployment start and end dates will need to be indicated on the form. Should an employee be served notice of redundancy, or their Fixed Term contract notice, the redeployment start date will be the date on which notice is given and the redeployment end date will be the end date of the notice period. Should an employee be going on the redeployment list due to ill health, or as an alternative to dismissal on the grounds of capability the redeployment start and end dates should be discussed with the Schools Statutory HR Team.
- 3.4 If an employee is being placed on the redeployment list for a reason other than redundancy the associated process (e.g. absence management) must continue whilst the employee is on the redeployment list.
- 3.5 Headteachers should make staff aware that the Council will contact them in future with the weekly vacancy bulletin for Council based roles and to make them aware of any suitable job matches.
- 3.6 Headteachers should make the employee aware that if they unreasonably refuse suitable alternative employment they may lose any entitlement to a redundancy payment.
- 3.7 Schools are required by the Council to promote their redeployees for any vacancies that they are aware of in their federation or pyramid and to also consider appointing redeployees from other schools before commencing recruitment from other sources.

Central Bedfordshire Council

- 3.8 The Council will ensure those who submit career profiles are considered for employment against all permanent and fixed-term Council vacancies that are notified to the Resourcing Team for advertising.
- 3.9 The Council will ensure schools who contact the Council about advertising a vacancy on the [First Hand Website](#) (formerly known as Children's Trust) are directed to the Redeployee Bulletin. The Redeployee Bulletin details [anonymous](#) information about school based staff on the redeployment list.
- 3.10 If any school wishes to find about further information about anyone on this list they ³

should contact the Schools Statutory HR Team who will pass on the employees completed career profile. If the school is interested in the candidate after reviewing the career profile they should contact the Schools Statutory HR Team who will contact the employees line manager and the employee.

The Employee

3.12 It is the responsibility of the school to ensure that the employee completes and returns their career profile form to the Council.

3.13 Successful redeployment will depend on the efforts employees make themselves to achieve redeployment. If an employee fails to engage in the process or unreasonably refuse suitable alternative employment they may lose any entitlement to a redundancy payment.

4.0 THE PROCESS FOR SCHOOL BASED EMPLOYEES BEING MATCHED AGAINST COUNCIL VACANCIES

4.1 All school career profile forms that are returned to the Council will be added to the redeployment list and considered against all permanent and fixed-term corporate vacancies that are notified to the HR Shared Services team for advertising. Those on the redeployment list will be considered by the redeployment panel first before any advertisement is placed.

4.2 The panel, comprising of a HR representative and a trade union representative, will meet weekly (normally every Friday) to match employees' career profiles against the essential criteria of vacant posts.

4.3 The panel will consider as wide a choice of suitable alternative positions as possible, including those that can be done with reasonable training.

Certain factors will be taken into consideration when looking at suitable alternative positions, such as:

- the skills of the employee
- the requirements of their current position
- the salary grade of the vacant position compared to their current salary grade
- hours of work
- status - loss of status should be avoided
- the location of the vacant position

Jobs that are considered suitable alternative employment will be at the same salary grade as the employee's existing salary grade or one grade lower.

4.4 The redeployment panel will keep detailed records of all actions taken.

4.5 Where the panel identifies a suitable match, recruitment to that post will be frozen and the employee will be sent the job description, person specification and a redeployment application form on the same day that the panel meets. The employee's line manager will be copied into this email.

- 4.6 The Resourcing Team will inform the recruiting manager that a suitable match has been identified, that recruitment to the post has been frozen and ensure that they understand the redeployment process. The recruiting manager should be prepared to interview the employee within a week of the match being made to provide the employee with an outcome as soon as possible and prevent unnecessary delays to the recruitment to the role.
- 4.7 The employee will be required to complete an application form detailing how they meet the essential criteria for the role and return this to the Resourcing Team before 4pm two working days after they receive the details of the role. The employee is guaranteed an interview for the role and the application form is to provide the recruiting manager with useful background information.
- 4.8 If the employee does not consider that the position is a suitable match they must notify the Resourcing Team before 4pm two working days after receipt of the details stating the reasons why they consider it to be unsuitable.
- 4.9 The interview panel must consist of at least two people and at least one member of the interview panel must have attended the Council's Recruitment and Selection training and/or have substantial previous interviewing/selection experience.
- 4.10 The Schools Statutory HR team or HR Shared Service team may provide support through the selection process, if necessary in exceptional circumstances.
- 4.11 If there is more than one employee matched to the same position, the Council's recruitment and selection rules will be followed and all matching applicants from the redeployment pool will be interviewed. Any appointment will be based on an assessment of the candidate against the essential criteria for the role and an assessment of whether any shortfall could be bridged through reasonable training.
- 4.12 If, after interview, an employee is not considered suitable, the recruiting manager will explain the reasons for this to the employee on the telephone, detailing the justification for the decision and will feedback to the HR Shared Services team who will make the Schools Statutory HR team aware.

5.0 THE PROCESS FOR SCHOOL BASED EMPLOYEES BEING MATCHED TO SCHOOL VACANCIES IN ANOTHER SCHOOL

- 5.1 The Schools Statutory HR team will share the relevant completed career profile form with the recruiting manager at the new school who is interested in an employee who has appeared on the redeployee bulletin.
- 5.2 If the recruiting manager at the new school decides they are interested in the employee, they should contact the Schools Statutory HR team who will contact the employees line manager and the employee.
- 5.2 The employee will be required to complete an application form detailing how they meet the essential criteria for the role and return this to the school / their HR provider before 4pm two working days after they receive the details of the role.
- 5.3 If the recruiting manager at the new school wishes to interview the employee, the current line manager must ensure the employee is released for an interview as

employees at risk of redundancy are entitled to reasonable time off to attend interviews.

- 5.4 If, after interview, an employee is not considered suitable, the school will explain the reasons for this to the employee, detailing the justification for the decision and will feedback to the line manager who will make the Schools Statutory HR team aware.

6.0 PROCESSES THAT APPLY TO EMPLOYEES BEING REDEPLOYED INTO BOTH COUNCIL VACANCIES AND SCHOOLS VACANCIES

Trial Periods

- 6.1 If an employee is successful at interview whether for a Council based role or School based role, they will have a trial period of at least 4 weeks in the new position. In specific circumstances, such as sickness absence or to undertake training, the trial period may be extended; however, this must be discussed with the Schools Statutory HR team.
- 6.2 If the trial period begins during the employee's notice period then both the trial period and the notice period will run concurrently, as agreed with the employee ([see career profile - schools](#)). The employee will be removed from the CBC redeployment list during their trial period.
- 6.3 It is important that the employee and the recruiting manager agree at the outset of the trial period key objectives to be achieved. These objectives should be reviewed two weeks into the trial period and at the four week mark. Written records should be kept of these meetings and signed by both the employee and the recruiting manager.
- 6.4 Where it is agreed by the employee and the recruiting manager that the trial period has been successful, the recruiting manager at the new school should inform the line manager at the previous school. If the employee has been successful in securing a Council based role the Resourcing Team will send the employee confirmation in writing that they have permanently transferred into their new role and onto CBC terms and conditions of employment.
- 6.5 If the employee has been successful in securing a school based role the schools HR provider will send the employee confirmation in writing that they have permanently transferred into their new role and provide them with a new contract of employment.
- 6.6 If, at the end of the trial period and following a review of progress, either the employee or the recruiting manager is of the view that the key objectives have not been met and that the trial period has not been successful, then after discussion with the Schools Statutory HR team, the trial period will terminate at that point. If the employee has not reached the end of their notice period then they will be added back on to the CBC redeployment list for the remainder of their notice period and return to their position in the school.
- 6.7 If the employee is under notice of redundancy and at the end of the trial period the role is considered to be unsuitable by the recruiting manager, the employee will still be entitled to a redundancy payment. The relevant date for the purposes of calculating redundancy pay in these circumstances will be the date on which the employee's original notice period ended (and not the date that marked the end of the trial period).

- 6.8 If the employee is under notice of redundancy and at the end of the trial period the role is considered to be unsuitable by the employee, the employee will lose the right to their redundancy payment if the role was suitable alternative employment and their refusal is unreasonable (See [Schools Redundancy Procedure](#)).
- 6.9 If the employee is on the redeployment list for reasons other than redundancy and at the end of the trial period the role is considered to be unsuitable by either the line manager or the employee, the employee will be dismissed at the end of their notice period in line with the Schools Managing Sickness absence procedure.

Training

- 6.10 In order to maximise the redeployment opportunities for employees it is necessary to identify whether or not any reasonable training could be given by the Council or the School to enable the employee to meet the essential criteria of the post. The recruiting manager will discuss the training needs with the employee.
- 6.11 In assessing what is reasonable training, the following should be taken into account:
- The requirements of the post;
 - The skills of the employee;
 - The training resources available, i.e. the cost implications must be reasonable; and affordable; and
 - The actual training required before the employee would reach an acceptable standard (the indicative training period should not normally exceed 3 months.)
- 6.12 The training will be undertaken during the trial period, prior to the appointment being confirmed. The length of the trial period will be determined by individual circumstances and the length of the training required.

7.0 PAY PROTECTION WHEN MOVING FROM A SCHOOL BASED ROLE TO A COUNCIL ROLE

- 7.1 Pay protection will only apply as a result of an organisational restructure or in 'budget cut' redundancy situations. Pay will not be protected for any other reason.
- 7.2 If employees are offered an alternative post which attracts a lower rate of pay which is the equivalent of one CBC grade lower than their previous salary they will be offered a new contract of employment on CBC terms and conditions of employment. This new contract of employment will be based on the job-evaluated grade, and pay protection will always be the difference between the top spinal column point of the new grade and the employee's current salary. Pay protection will apply for a period of 1 year.
- 7.3 For example:
- Teacher currently employed on Main Pay Scale point 3 with a salary of £25,168
 - Following successful redeployment employee moves onto CBC grade CBG8 scale points 26 (£21,776) – 29 (£24,153)
 - The employee is appointed to scale point 29.
 - The difference in salary between £25,168 and £24,153 is £1015.
 - The sum of £1015 will be pay protected for 1 year.

- 7.4 During the 1 year period an employee's protected pay will be 'frozen' as at the date of implementation of the new grade. Therefore an employee's pay will remain the same and the employee will not receive any incremental or cost of living rise for the duration of the period of protection.
- 7.4 To qualify for pay protection employees must be appointed to a post attracting a lower rate of pay, not number of hours worked.
- 7.5 If the employee has been appointed into the new position before the end of their formal notice period, the pay protection will not be implemented until the notice period is concluded.
- 7.6 Protection arrangements will continue for 1 year unless:
- The total level of pay in the new post exceeds the level of the protected pay
 - The employee is appointed to a post which attracts an equal or higher basic salary; or
 - The employee moves to any other post of their own accord, including a post attracting lower pay or grade than the post the employee was working in prior to redeployment; or
 - The employee leaves the Council.

8.0 PAY PROTECTION WHEN MOVING FROM A SCHOOL BASED ROLE TO ANOTHER SCHOOL BASED ROLE

Teachers

- 8.1 In accordance with the School Teachers Pay and Conditions document 2012, section 35.15, scale points awarded to unqualified teachers on the Unqualified Teachers Scale are permanent. Therefore if any unqualified teacher moves to a school which is contractually required to follow the School Teachers Pay and Conditions document their scale point moves with them.
- 8.2 In accordance with the School Teachers Pay and Conditions document 2012, section 18.3.1, scale points awarded to classroom teachers on the Main Scale are permanent. Therefore if any classroom teacher moves to a school which is contractually required to follow the School Teachers Pay and Conditions document their scale point moves with them.
- 8.3 In accordance with the School Teachers Pay and Conditions document 2012, section 19.6, scale points awarded to post-threshold teachers on the Post-Threshold Teachers Scale are permanent. Therefore if any post-threshold teacher moves to a school which is contractually required to follow the School Teachers Pay and Conditions document their scale point moves with them.
- 8.4 Pay protection will not apply to any employee moving from a position which is part of the Leadership Group to another position which is part of the Leadership Group in another school.

Support staff

- 8.5 For support staff employed on NJC conditions of service, where an employee is offered an alternative position in a Community School / VC School which attracts a lower rate of pay which is the equivalent of one grade lower than their previous salary, a provision for

personally protecting the basic salary of the employee for a period of 1 year will be put in place.

9.0 CBC CORPORATE VACANCY BULLETIN

- 9.1 The employee will receive by email (unless otherwise requested) brief details and the appropriate job descriptions for the positions that have been considered by the redeployment panel that day.
- 9.2 Should the employee identify a vacancy that was not previously matched to them but they consider suitable, they should send an expression of interest to the Resourcing Team within two working days. Once this is received they will be asked to complete an application form detailing how they meet the person specification for the position. This must be returned within two working days of the expression of interest.
- 9.3 If it is agreed by the recruiting manager that the employee meets the essential criteria for the post, they will be guaranteed an interview prior to advertisement of the position and the redeployment process will be followed.

10.0 REDEPLOYEE BULLETIN

- 10.1 A redeployee bulletin will be produced detailing basic anonymous information about all school based staff on the redeployment list i.e. *Experienced Middle School Maths Teacher with a Degree in Further Maths, available from 1 September 2014 who is able to travel to most of Central Bedfordshire.* This bulletin will be posted online and will appear on the [First Hand Website](#) (formerly known as Children's Trust). If any school contacts the Council to advertise their vacancy on the [First Hand Website](#) they will be directed to the bulletin.
- 10.2 A link to the redeployee bulletin will also appear in Central Essentials each week to encourage any school who is considering recruiting to a role in their school to look and see what staff are / will be available.
- 10.3 If any school wishes to find out further information about anyone on the redeployee bulletin they should contact the HR Statutory Services Team, who will contact the employee's line manager and the employee.
- 10.4 If any employee is successful in securing alternative employment through this introduction and they commence in their new role at the end of their notice period (or before if agreed by both schools) they will no longer be at risk of redundancy and no longer eligible for any redundancy payment.

11.0 REMAINING ON THE REDEPLOYMENT LIST

- 11.1 Employees will remain on the redeployment list until their notice period expires.
- 11.2 There is no right to extend either statutory or contractual periods of notice or the amount of time an employee can remain on the redeployment list if an employee is sick whilst on the redeployment list.

12.0 DISPUTES/CONCERNS

- 12.1 Any dispute or concern about the redeployment process from schools, employees or trade unions should be handled as quickly as possible and if an attempt to resolve the dispute fails the matter should be referred to the HR Business Partner, Children's Services.