



Redeployment Policy and Procedure

Policy No. 43

OFFICIAL – Dec 2024

Title:	Redeployment Policy and Procedure
Authored by:	Head of HR
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FBU Consultation:	10th December 2024 – 7th January 2025
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Executive Committee Approved under Scheme of Delegation:	24th January 2025
CFA Approved:	N/A
Policy Register Review Date:	December 2027
Implementing Officer:	Head of HR

1. POLICY

1.1 Policy Statement

Cleveland Fire Authority manages its business in a manner which results in secure employment for all of its employees. However due to strategic, technological or structural changes, there may be occasions where organisational changes may result in a reduction in workforce requirements. The Authority will as far as practicably possible take all reasonable steps to avoid making any individual(s) redundant by considering whether individuals likely to be affected by redundancy can be offered suitable alternative work.

The Authority also recognises that there may be occasions as a result of personal circumstances such as ill health or disability or some other substantial reason that would lend itself to a redeployment situation. In such circumstances the Authority may consider whether it is able to support redeployment on these grounds.

1.2 Policy Objectives

The following objectives support the delivery of this policy:

- ensure that all reasonable steps are taken to avoid the necessity of redundancy through offering suitable alternative employment when the opportunities exist
- when an employee experiences ill health and/or a disability and cannot continue in their contractual role, that the Authority as far as practicable, redeploy the individual into a suitable alternative role
- be sensitive to individual's particular circumstances and provide support where necessary
- ensure that all actions are in accordance with employment legislation

1.3 Scope

This policy applies to all employees of Cleveland Fire Brigade.

1.4 Policy Category

This policy is categorised as 'Authority' within the Policy and Strategy Framework.

2. ORGANISING

2.1 Cleveland Fire Authority (CFA) is responsible for :

- delivering its statutory requirements
- setting the Authority's strategic direction with regard to redeployment

2.2 The Brigade's Executive Leadership Team is responsible for:

- overseeing the financial planning and monitoring arrangements associated with any circumstances where redeployment may take place
- setting policies and strategies in relation to redeployment

- 2.3 **Assistant Chief Fire Officer Strategic Planning & Resources is responsible for:**
- developing and implementing the Authority's redeployment arrangements
 - overseeing arrangements for redeployment in conjunction with the monitoring of the Brigade's Establishment and Strength
- 2.4 **The Head of Human Resources is responsible for:**
- implementing the Authority's redeployment policy and associated arrangements
 - provide advice and guidance to managers and staff on the application of this policy and associated procedure
- 2.5 **All Managers are responsible for:**
- the fair and consistent application of this policy and associated procedure
 - supporting all staff who are affected by organisational change or a personal situation or some other substantial reason where the application of this policy and associated procedure may be necessary
- 2.6 **Individuals are responsible for:**
- ensuring that they comply with requirements of this policy and associated procedure
 - fully engage and participate in the redeployment process
- 2.7 **Trade Unions are responsible for:**
- working proactively with Management and staff when suitable alternative employment may be necessary
 - engaging with management during the application of this policy and procedure

3. PLANNING AND IMPLEMENTING

- 3.1 This policy is underpinned and implemented through a Redeployment Procedure which is provided in Appendix 1.
- 3.2 All new staff will be made aware of this Policy and its associated procedure as part of their induction.
- 3.3 Existing staff will be informed of this policy and procedure as per the accepted policy framework procedure and it will be made available on the Brigade's intranet; no formal training is anticipated.
- 3.4 The Redeployment Policy and its associated procedures will be reviewed and implemented together to ensure that developments in the Brigade's Redundancy arrangements are comprehensively communicated to staff, managers and Elected Members.

4. RESOURCE IMPLICATIONS

- 4.1 There may be financial implications should the Pay Protection Policy need to be invoked as a consequence of this policy and procedure being adopted.

Each situation will be considered on a case by case basis, taking into account the financial and business implications before a decision is made on redeployment.

5. EQUALITY IMPACT ASSESSMENT

- 5.1 In accordance with the requirements of the Public Sector Equality Duties, Equality Act and other relevant legislation, the potential impact of this policy and associated procedure have been taken into consideration. As the management of redeployment in cases of redundancy has to adhere to employment legislation, we are not aware of any potential adverse implications arising from this policy and associated procedure.

6. MONITORING

- 6.1 The Risk and Performance Team will ensure the central monitoring of this policy and associated procedure and ensure that it is added to the Brigade's register of policies and strategies and reviewed in line with timelines specified.

7. AUDIT

- 7.1 This Policy will be audited in accordance with the procedure detailed within the Brigade's policy framework.

8. REVIEW

- 8.1 The Assistant Chief Fire Officer Strategic Planning & Resources will undertake a review of this policy in December 2027 to ensure it is taking account of any new or emerging political, economic, social, technological, legislative, environmental, competitive, citizen or reputational factors.

REDEPLOYMENT PROCEDURE

Introduction

The Redeployment Procedure is to be used in situations such as:

- an alternative to redundancy
- in cases of ill health and/or a disability
- some other substantial reason

1. REDEPLOYMENT PROCEDURE FOR THOSE IN A REDUNDANCY SITUATION

The Brigade will make every effort to identify suitable alternative employment for staff who would be displaced as a result of organisational or service restructuring or where a potential redundancy situation arises.

Suitable refers to the place of work, terms and conditions of employment, abilities of the member of staff and the capacity in which the member of staff would be working. Suitable alternative employment shall be determined by reference to current employment legislation, and regard shall also be given to the personal circumstances of the member of staff. Staff shall, however, be expected to show some flexibility by adapting their domestic arrangements where possible, with sufficient notice.

A 'suitable' post may be one which could potentially become 'suitable' for the redeployed candidate with reasonable training. Training may be both formal (courses, study etc) and informal (coaching, mentoring or shadow work) in line with any identified training need(s).

In situations of redundancy, the Brigade may offer suitable alternative employment to include redeployment to one level above or below the current grade. Where the conditions of the pay protection policy are met, then the pay protection policy shall apply. An individual may suggest a lower grade post as being suitable and may wish to redeploy to this post, although in such circumstances the pay protection policy would probably not apply.

Involving the Individual

The Brigade should involve individuals in discussions at the earliest opportunity to discuss suitable alternative employment, the associated process and its consequences and explore the options for redeployment and any positive suggestions that the individual has may also receive serious consideration.

Offers of Alternative Employment

Those who are at risk of dismissal will receive priority over vacant posts (which will be ring fenced – one grade above and or one grade below) should they meet the

criteria for the redeployed post or would be able to with training (within a reasonable timescale).

The HR Department with the Line Manager of the vacant post will ascertain if there is a suitable match between the role profile and knowledge, skills and experience of the individual at risk. The individual themselves may also identify any potential vacancies they wish to be considered for. The feasibility of providing re-training should be considered where practical.

If there is a match the individual who is at risk will be notified of this potential match. The individual at risk should be offered an interview with the Line Manager of the vacant post so they can understand the roles and responsibility of that post.

If more than one person matches this vacancy, then they too should be offered an interview and some form of selection process take place.

With regard to redundancy situations, any offer of alternative employment will be put in writing. The offer should show how the new employment differs from the old and by law must be made before the employment under the previous contract ends. The offer must be for the new job to start either immediately after the end of the old job or after an interval of not more than four weeks.

Employees who are in a potential redundancy situation and who unreasonably refuse an offer of suitable alternative employment may lose any entitlement to redundancy pay. Unreasonable refusal may arise where the differences between the new and old jobs are negligible or where the employee assumes rather than investigates the changes that a new job might involve. In deciding whether to accept an offer of alternative employment it will be sensible for employees to bear in mind the availability of other employment should they refuse the offer.

Those not successful should be informed of the reasons why and the process should recommence.

Trial period – for those at risk of redundancy

An employee who is under notice of redundancy has a statutory right to a trial period of four weeks in an alternative job where the provisions of the new contract differ from the original contract. The trial period begins when the previous contract has ended and ends four weeks after the date on which the employee starts work under the new contract. The line manager is responsible for setting clear and reasonable performance targets for the trial period. The effect of the trial period is to give the employee a chance to decide whether the new job is suitable without necessarily losing the right to a redundancy payment. If the Authority is satisfied that a suitable alternative post has been offered to an employee who is at risk of redundancy and declined by him/her, then a redundancy payment may be withheld. Legal advice must be sought in all such circumstances.

Equally if an individual who is subject to a redundancy situation resigns unreasonably during the trial period, they may not be entitled to a redundancy payment.

The four week trial period (in cases of redundancy) can be extended for retraining purposes by an agreement which is in writing, specifies the date on which the trial period ends and sets out the employee's terms and conditions after it ends. If the employee works beyond the end of the four week period or the jointly agreed extended period any redundancy entitlement will be lost because the employee will be deemed to have accepted the new employment. This will be communicated to the employee when the alternative job offer is made.

In cases of potential redundancy the trial period will be used to assess the employee's suitability. Should the new contract end within the four weeks for a reason connected with the new job, the employee will preserve the right to a redundancy payment under the old contract. If the dismissal was due to a reason unconnected with redundancy, the employee may lose that entitlement. If the trial period is unsuccessful the Brigade must provide objective evidence to show why the vacancy has proved unsuitable. The end of the trial period and its reasons will be confirmed in writing. If the trial period is successful the appointment can be confirmed, the new post will become the individual's substantive position.

Pregnancy, Maternity, Shared Parental Leave, Paternity or Adoption Leave

An employee who is pregnant or taking maternity, paternity, adoption or shared parental leave has the right to return to the job in which they were employed on no less favourable terms and conditions.

If the employee is pregnant or taking maternity, adoption or shared parental leave is unable to return to their previous job by reason of redundancy, they are entitled to an extended 'redundancy protected period' for up to a maximum of 18 months, subject to eligibility. The protection means that if there is suitable alternative employment, they are given priority over other employees.

Where an employee on maternity, paternity or adoption leave is potentially redundant, managers must therefore ensure that the employee is provided with all necessary information, including in relation to vacancies, and that they are consulted. If necessary, home visits should be conducted. Employees should also be informed that they are required to maintain regular contact with their line manager and/or HR.

Managers should take all reasonable steps to facilitate redeployment of employees who are notified of redundancy during maternity, paternity or adoption leave. This includes steps in relation to arrangement of meetings, interviews, and testing. An offer of alternative employment cannot be withheld only on the basis that the employee cannot take up post immediately. The post should be held for the employee until their period of maternity, paternity or adoption leave ends, if necessary covered on a temporary basis.

2. REDEPLOYMENT PROCEDURE (NON- REDUNDANCY SITUATIONS)

The Brigade will as far as practicably possible, consider redeployment in cases such as ill health or disability or some other substantial reason which may include redeploying an individual to a post of the same level or lower level. The Brigade

will attempt to match the individual against any vacancies in terms of knowledge, skills, experience, and potential for training.

Where the conditions of the pay protection policy are met, then the pay protection policy shall apply.

Individuals who are being redeployed for reasons other than redundancy are not entitled by law to a trial period; however, there may be exceptional circumstances where a trial period may be considered by the Brigade (such as in the case of someone who has a disability, and the trial period may form part of any reasonable readjustment) but this will be considered on a case by case basis.

III Health Redeployments

Redeployment in relation to health/disability will normally be a result of:

- an individual being identified as being permanently incapable of discharging efficiently the duties of their post but capable of undertaking alternative work, or
- an individual being confirmed as being unable to carry out the duties of their post because of a disability, and it has not been possible to make reasonable adjustments to allow continuation in that post.
- Where the individual should not, on medical grounds, return to their substantive post

In all cases relating to health or disability, Occupational Health will be involved in the process to offer professional advice and guidance. Appropriate information on the nature and extent of the impact of the medical condition or disability will be sought to assist the Brigade in making an appropriate decision. All ill-health redeployments will be carried out on a case-by-case basis.

HR will work with the individual, their line manager and the occupational health provider (and where appropriate) other experts to look at the impact the illness or disability has on the redeployment post and the reasonable adjustments that are required and/or can be made. Where adjustments are required, the Brigade will attempt as far as practicably possible to make any reasonable adjustments that will enable the individual to take up the new post.

3. SOME OTHER SUBSTANTIAL REASON

There may be other reasons where redeployment may be required or requested and the Brigade will manage this on a case by case basis. HR will work with Line Managers in all such cases to provide advice as appropriate.

EQUALITY IMPACT ASSESSMENT – INITIAL SCREENING

EQIAs enable us to consider all the information about a service, policy, practice or activity from an equalities perspective and then put an action plan in place to achieve the best outcome for our employees and service users. EQIAs analyse how the work that we undertake can impact different groups. This will help us to make better decisions and evidence how we have reached these decisions.

Analysis Rating: please tick one box (the analysis rating is identified after the analysis has been completed – See EQIA procedure)	RED		AMBER		GREEN	✓
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SECTION 1 – INITIAL SCREENING

Directorate:	Corporate Services
Department/Section:	Human Resources
Title of EQIA – Name of Service or Policy Conducted on:	Redeployment Policy and Procedure
Date Of Assessment:	2 nd December 2024
Assessment carried out by:	Anne Skillcorn

Is this Policy/Service/Project: Existing ☒ New/Proposed ☐ Changing ☐ Other ☐

Applicable to: Our staff ☒ Our Communities ☐ Other ☐

What are the aims of the service / policy?	<p>This policy and procedure outlines redeployment within the Brigade. It is recognised that due to strategic, technological, or structural changes, there may be occasions where organisational changes may result in a reduction in workforce requirements. The Brigade will as far as practicably possible take all reasonable steps to avoid making any individual(s) redundant by considering whether individuals likely to be affected by redundancy can be offered suitable alternative work.</p> <p>It is also recognised that there may be occasions as a result of personal circumstances such as ill health or disability or some other substantial reason where this redeployment policy and procedure could be used.</p>
Who is responsible for the service / policy? Who is responsible for the assessment?	Senior Head of Human Resources
Who implements the policy? Are external contractors involved?	The Head of Human Resources is responsible for the implementation of this policy
Are there any related policies or processes that will need to be changed associated to this one?	No
To what extent does the service / policy have an impact on people? Who is affected by it and how?	The policy and procedure impacts all employees of the Brigade.
What analysis has been done to identify if the service / policy is meeting the needs of all of these groups of people?	This policy considers the needs of all employees and ensures that it is legally compliant.

In this section you should review the data and evidence above and consider the actual and potential impact of the policy, service, activity or practice

ESTABLISHING RELEVANCE

on employees, residents, groups and other service users. Findings should be noted in the table below. You should also consider whether the decision will, or is likely to, influence CFB's ability to:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Equality Act and other relevant legislation.
- Advance equality of opportunity between different groups of people
- Foster good relations between people who share a protected characteristic and those who do not.

Using the information available, identity the impact of this service / policy in relation to people across the Protected Characteristics:

Protected characteristics groups from the Equality Act 2010	Negative Impact	Neutral Impact	Positive Impact	Explain your answer
Age			✓	<p>Employees may face challenges with their health which may be age related. 13.8% of the Brigades employees are 55 and over. Older employees may also experience barriers to moving to another role due to training and technology requirements. Younger employees may lack experience in the workplace. The redeployment policy and procedure looks to make every effort to identify suitable alternative employment for staff who due to ill health are not able to carry out their current role. The Brigade are committed to providing support and training to those moving into a new role. This process can support employees into a new role to avoid ending their employment.</p> <p>The Brigade will ensure non-discrimination in the redeployment policy and process. The policy ensures the process is fair and considers the needs of all protected groups.</p>
Disability		✓		<p>Employees with disabilities may experience changes to their health/disability which may mean they are unable to carry out their role efficiently. Employees could become disabled or unable to carry out their role due to ill health. 3.8% of the Brigades employees have identified that they have a disability. The redeployment policy and procedure looks to make every effort to identify suitable alternative employment for staff who due to ill health or disability are not able to carry out their current role. The Brigade are committed to providing support and training to those moving into a new role. This process can support employees into a new role to avoid ending their employment.</p> <p>The Brigade will ensure non-discrimination in the redeployment</p>

				policy and process. The policy ensures the process is fair and considers the needs of all protected groups.
Gender Reassignment		✓		Employees undergoing gender reassignment may face discrimination or lack of understanding from potential new employers. The Brigade will ensure non-discrimination in the redundancy selection process.
Pregnancy and Maternity			✓	Employees who are pregnant, on maternity leave or shared parental leave are entitled to an extended redundancy protected period for up to a maximum of 18 months, subject to eligibility. If there is suitable alternative employment and they are at risk, they are given priority over other employees. The Brigade will ensure non-discrimination in the redeployment process.
Race		✓		The Brigade will ensure non-discrimination in the redeployment policy and process. The policy ensures the process is fair and considers the needs of all protected groups.
Religion and Belief		✓		The Brigade will ensure non-discrimination in the redeployment policy and process. The policy ensures the process is fair and considers the needs of all protected groups.
Gender		✓		The Brigade will ensure non-discrimination in the redeployment policy and process. The policy ensures the process is fair and considers the needs of all protected groups.
Sexual Orientation		✓		The Brigade will ensure non-discrimination in the redeployment policy and process. The policy ensures the process is fair and considers the needs of all protected groups.
Marriage and civil Partnerships		✓		The Brigade will ensure non-discrimination in the redeployment policy and process. The policy ensures the process is fair and considers the needs of all protected groups.

<p>Is a full Equality Impact Assessment required? Yes or No If not why?</p>	<p><i>If you have identified a negative potential impact for group, then you must complete a full Equality Impact Assessment. If you have identified a neutral or positive impact on any groups then no further action is required.</i></p> <p>No, The Brigade will ensure that the redeployment policy and process is fair and considers the needs of all protected groups.</p> <p>The redeployment policy and procedure will be regularly reviewed to ensure compliance with equality legislation.</p>
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MONITORING AND REVIEW

What procedures are in place to monitor the impacts outlined in the analysis?	All EqIAs are reviewed in line with the policy, procedure, or activity they are attached to. Quality Assurance is undertaken by HR Advisor with responsibility for EDI.
How often will this take place?	The Redeployment Policy and Procedure will be reviewed every 3 years unless trigger event or legislative change.
Date of next planned review?	December 2027

Proceed to Full EQIA
Yes ☐

No x ☐

SIGNATURE OF PERSON COMPLETING THIS SCREENING

Name:	Anne Skillcorn
Job Title:	HR Advisor (EDI)
Date:	02/12/2024

SIGNATURE OF LINE MANAGER – MINIMUM HEAD OF DEPARTMENT

Name:	
Job Title:	
Date:	

SIGNATURE OF EQUALITY AND DIVERSITY OFFICER – HR DEPARTMENT

Name:	Anne Skillcorn
Date:	02/12/2024