

Redeployment Policy and Procedure

1. Scope

This policy sets out a framework for managers to manage redeployment in a fair and effective manner, in line with the School's policy statement on equality and diversity and good employer practice. The Redeployment Policy and the associated Procedure are not contractual and may be amended by the School from time to time.

2. Principles

a) It is the School's policy to offer redeployment wherever possible and in line with the School's strategic priorities in order not to dismiss employees on grounds of redundancy or when an employee becomes disabled and unable to perform the basic tasks of their job.

b) Redeployment is defined as the transfer of an employee to a suitable alternative post within the School. The post should have a job specification that the employee can match in terms of competencies either immediately or with training in a reasonable timescale, which would normally be within four weeks.

c) The School is committed to recruiting, developing and, wherever possible, retaining high quality employees. Therefore, employees may be eligible for redeployment in the following circumstances:

- i. for the purpose of avoiding compulsory redundancy as a result of an organisational restructure
- ii. where a fixed term contract is due to expire and the employee is at risk of dismissal on the grounds of redundancy
- iii. where an employee becomes disabled and redeployment is considered a reasonable step

Competitive application for redeployment may be required for i) and ii) above. However, in line with the statutory position and case law:

- employees on maternity or adoptive leave, or additional paternity leave whose posts are at risk of redundancy or who are being made redundant, must be offered a suitable alternative post in preference to any other redeployee and
- in the case of redeployment of a disabled employee, there should not be a competitive interview. Confirmation of redeployment is dependent on the capability of the person to carry out the work and the practicality and reasonableness of any necessary reasonable adjustments.

d) Responsibility for redeployment lies initially with the relevant Head of Department, Research Centre Director or Service Leader and every effort should be made within the department or division to find a suitable alternative position for the employee(s) within the department or service. If there is no suitable employment within the department or division, the Head of Department, Research Centre Director or Service Leader should inform their HR Partner and request that the employee be placed on the Redeployment Register so that recruiting managers elsewhere in the School can give priority consideration to the employee, taking into account the employee's performance at interview.

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3. Further support

Managers and employees are encouraged to seek further clarification and advice on the policy from their HR Partner and information on the Redeployment Register from HR Services. The trade unions recognised by the School are also available to provide support to their members.

This policy was adopted on 20th September 2013 following consultation with the recognised

trade unions: UCU, UNISON and UNITE and discussion with the Director's Management Team.

London School of Economics and Political Science

Redeployment Procedure

1. Scope

This procedure applies to all staff employed on a permanent or fixed term contract of employment with the School. The procedure and the associated policy are not contractual and may be amended by the School from time to time.

a) Employees may be eligible for redeployment in the following circumstances:

- i. for the purpose of avoiding compulsory redundancy as a result of an organisational restructure
- ii. where a fixed term contract, or specific external funding supporting continued employment is due to expire and the employee is at risk of dismissal on the grounds of redundancy
- iii. where an employee becomes disabled to the extent that remaining in the current job is no longer possible and redeployment is considered a reasonable step to enable continuing employment.

The redeployment procedure does not apply to employees who are seeking a new job or change of career or provide cover for other staff on maternity leave, sickness absence or other leave. Also, the procedure does not apply to LSE Fellows or academic visitors or interns.

b) The Redeployment procedure should be read in conjunction with the following procedures and funding initiatives:

- the guidance on Managing staff on fixed term contracts guidance where redeployment is requested because of the expiry of a fixed term contract
- the guidance on Managing staff on open-ended contracts subject to continued availability of specific funding guidance where redeployment is requested because of the end of specific funding for the contract the Capability Health procedure where redeployment is required as a reasonable step for a disabled employee
- the LSE Bridging Fund Scheme which enables Principal Investigators to retain individual researchers where they are important to the successful delivery of secured grants
- the Research Committee Seed Fund which assists individuals and groups to secure large scale funding bids.

2. Analysis of the effects on equality

An analysis of the effects on equality needs has been carried out to check that the procedure does not adversely affect employees on the grounds of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

3. Principles

a) The aim of the School's Redeployment procedure is to provide a fair process to manage the redeployment of employees who are either at risk of dismissal because of redundancy or expiry of a fixed term contract or become disabled and, as a result, are no longer able to continue working in their current posts. To support the procedure, a Redeployment Register which is managed by HR Division provides a centralised resource to retain existing

employees who are not offered redeployment within their department, division or research centre.

b) Redeployment is defined as the transfer of an employee to a suitable alternative post within the School. Suitable alternative work is work that the employee can reasonably be expected to do, taking into account their seniority and skills either immediately or with training in a reasonable timescale, e.g. for academic support posts the time period the timescale would normally be within four weeks for academic or research posts the timescale would normally be much longer. It is work that is the same as or not substantially different from the previous work. The following criteria will be used to determine the suitability of alternative employment:

- i. banding and pay
- ii. qualifications, knowledge, skills and experience required to carry out the work
- iii. working hours
- iv. status
- v. type of work
- vi. location

Work may still be regarded as suitable even if a reasonable period of training is necessary.

c) Wherever possible, the redeployment will be within the employee's existing department, division or research centre.

d) In terms of salary, any decisions must take equal pay implications into account. Where an employee chooses to accept a transfer to a post at a lower banding the terms and conditions of employment should, where possible and within the control of the School, remain the same. Where the top of lower banding, including the contribution range is less than the employee's current salary, consideration will be given to protecting the employee's pay for a maximum of twelve months, following which period the salary will be reduced to the top of the lower banding on a phased basis of no more than twelve calendar months. For the avoidance of doubt, this would entail monthly equal reductions in basic salary from the employee's previous salary to the top of the relevant contribution zone for the new role. As for the pension implications of any changes in salary, the employee is advised to contact the Pensions Team, HR Division before making any decision to accept the lower banding. Pension matters are restricted by the Rules of the pension schemes.

e) Where an employee is offered suitable employment in terms of the criteria as outlined in paragraph 3b and decides not to accept the post, the employee should outline in writing to their current manager why they do not consider the post to be suitable. Where it is agreed that the post is unsuitable, the employee may remain on the Redeployment Register. Where after consideration of the employee's account and the criteria in paragraph 3b), it is not agreed that the post is unsuitable, the employee may forfeit the right to any redundancy payment.

4. Redeployment within the School

a) In line with the statutory position and case law an employee on maternity or adoption leave or additional paternity leave, whose post is at risk of redundancy or who is being made redundant must automatically be offered, not just invited to apply for, a vacancy that is suitable for the employee. The offer must be made to the employee in preference to any other employee who is not on maternity or adoption leave or additional paternity leave but whose job is also redundant, even if the other employee is better qualified for the position. Also in line with case law, where an employee's disability means that it is no longer possible to remain in the same job, a reasonable adjustment may be a transfer without competitive interview to a job that the employee can do. Examples of reasonable adjustments are given in the Equality Act 2010 Code of Practice, Employment Statutory Code of Practice.

b) The responsibility for redeployment lies with the Head of Department, Research Centre Director or Service Leader in whose area the employee is currently employed and they remain responsible for the salary and management of the employee until alternative employment is confirmed or the conclusion of the School's procedures is reached.

Departments undergoing restructuring are not expected to give prior consideration to employees on the Redeployment Register from other departments whilst their own restructuring is in process. Trade unions are available to provide support to their members.

c) The timescale for eligible employees to be placed on the Redeployment Register is a maximum of three months, at the end of which the possible outcomes are acceptance of alternative employment or confirmation of redundancy. The period is defined as the

Redeployment Period and the steps in the process are outlined below:

- i. Stage 1 Every effort must be made within the department, division or research centre to find an alternative position, in line with the School's strategic priorities, for which the employee is suitable. If suitable employment can be found within the department or division, the Head of Department, Research Centre Director or Service Leader should meet with the employee to make the offer and should confirm the offer in writing with, if appropriate, information on developmental support or reasonable adjustments. Following acceptance by the employee, a revised contract letter should be issued and sent to the employee for acceptance and return of a signed copy. If appropriate, the letter will also refer to the start and end date of a trial period (paragraph 5 refers). Receipt of the signed letter ends the process of redeployment.
- ii. Stage 2 If it is not possible to offer a suitable alternative position to the employee, then the Head of Department, Research Centre Director or Service Leader should meet with the employee to discuss and identify the employee's relevant experience, skills, qualifications and preferred work options and/or departments. The outcome of the meeting should be a completion or updating by the employee of a CV and a record of expressed preferences in terms of type of work and/or departments, which is sent to HR Division to be placed on the Redeployment Register to enable recruiting managers elsewhere in the School to give priority consideration to the employee on the Redeployment Register before considering other applicants. Prior consideration involves considering the employee against the person specification for the vacant post in order for a match with the essential criteria for the post. Once a match has been established then the employee will be offered an interview prior to any other candidates (except for other redeployees). If the employee proves suitable at interview they should be offered the post
- iii. Stage 3 If paragraph 4a) applies, i.e. the employee, who is on maternity or adoptive leave or additional paternity leave and who is at risk of redundancy, matches the person specification the recruiting manager should automatically offer the post to the employee. A meeting may be arranged by the recruiting manager to discuss the appropriateness of the job for the employee. Where an employee's disability means that it is no longer possible to remain in the same job, a reasonable adjustment may be a transfer without competitive interview to a job that the employee can do; in such a case a meeting may be arranged by the recruiting manager to discuss any reasonable adjustments before an offer is made.
- iv. Following acceptance by the employee, a revised contract letter should be issued and sent to the employee for acceptance and return of a signed copy. Receipt of the signed letter ends the process of redeployment.
- v. If paragraph 4a) does not apply, the recruiting manager should use the normal recruitment selection procedures for example, holding a selection committee to give the employee the opportunity to demonstrate their suitability for the post, following which either, a revised contract letter should be issued and sent to the employee for acceptance and return of a signed copy or, the redeployee remains on the Redeployment Register.
- vi. Stage 4 If it is not possible through this procedure to offer alternative employment for an employee at risk of redundancy then the redundancy notice periods shall run concurrently with the redeployment period. Where it is not possible through this Redeployment Policy and Procedure to offer alternative employment for an employee who has become disabled, the Capability – Health procedure applies.

5. Trial periods

a) Where for the purpose of avoiding compulsory redundancy an employee is offered and accepts an alternative post, which means a change in the contract there is an entitlement to a

statutory trial period of four weeks beginning on the day the employee starts the new position. The purpose of the trial period is for both the manager and the employee to establish and agree whether or not the job is in fact suitable in terms of the competencies required of the employee and any change in terms and conditions. The manager and the employee may agree in writing to extend the trial period for a reasonable length of time beyond the statutory four weeks if the new job requires the employee to be retrained. Before the trial period begins, the recruiting manager should set out a clear and reasonable statement of performance standards and objectives to be met and support to be provided during the trial period. During the trial period, the manager and employee should regularly review the progress of the redeployment and discuss any training or support to facilitate a successful outcome. If the employee resigns, or gives notice, during the trial period for any reason, then the original dismissal will be deemed to stand; the reasonableness of a refusal of suitable alternative work and whether a redundancy payment is payable will depend on the individual circumstances and perception of the employee. Similarly, if the employee is dismissed for a reason relating to the differences between the old and new jobs, the date of dismissal is the date on which the original contract came to an end.

b) In the case of the redeployment of a disabled employee, it is the School's policy to offer a trial period the duration of which will depend on the circumstances of the case, normally up to three months. During the trial period, the manager and employee should regularly review the progress of the redeployment and discuss any training or support to facilitate a successful outcome. Where the trial period is not successful, the capability-health process may be used to consider further options.

6. Further support

a) Managers and employees are encouraged to seek further clarification and advice on the policy from their HR Partner.

b) Employees may also find it helpful to seek support from one of the School networks. The School currently has the following groups: EMBRACE (Black and Ethnic Minority Staff Network), SPECTRUM (Lesbian, Gay, Bisexual and Transgender Staff Network), Gender Equality Forum, Disabled Staff Network, Parents and Parents-to-be Network and Network for Carers of Adults.

This policy was adopted on 20th September 2013 following consultation with the recognised trade unions: UCU, UNISON and UNITE and discussion with the Director's Management Team.

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