

County Council – 21 April 2016

Recommendation from the Standards and Governance Committee meeting held on 30 March 2016

Redundancy and Redeployment Policies and Procedures and the Role of the Personnel Appeals Committee

- 8 The Committee considered a report by the Assistant Chief Executive which was introduced by the Principal HR and OD Adviser (Policy). She explained that a recent review of redundancy and redeployment policies and procedures had looked at all of the processes, in particular in relation to individuals who were 55 or over with immediate access to pension benefits that was currently considered by the Personnel Appeals Committee (PAC).

An outcome of the review found that the consideration by the PAC had caused a delay, particularly with regard to the smaller reviews and had impacted on the effective date of any voluntary redundancies and subsequent restructuring of departments. The proposal was therefore to discontinue the PAC and provide an alternative level of scrutiny outside of the committee framework by the relevant director and 2 trained members.

A written consultation exercise had taken place with members of the PAC who were largely supportive, however, they had wished to clarify the level of scrutiny that was being proposed in terms of the appeals process. Subsequent consideration by the Staffing Committee had resulted in a proposal that an informal meeting of the PAC be convened prior to the April County Council meeting in order that its members could consider the effectiveness of the alternative arrangements.

In response to a question, the Monitoring Officer advised that the last meeting of the PAC had to be cancelled leaving no opportunity for a collective discussion prior to Staffing Committee and that this was the reason why members of the PAC were contacted in writing and asked to express their views. The Staffing Committee felt that this was insufficient and wanted PAC members to have an opportunity prior to the County Council meeting to comment on the alternative arrangements.

The Chairman stated that the proposal outlined in 4.3.1(d) of the report was unclear and required further clarification.

The Monitoring Officer explained that PAC members who were trained in appeal related matters would be retained in order that 2 members could hear an appeal with the relevant director.

Particular concern was expressed regarding arrangements in instances where redundancy was contested or in the event of dismissal as a result of a disciplinary action. It would be important that members were trained and aware of their responsibilities and it was suggested that the PAC should continue as a formal committee for this purpose.

Further to this suggestion, the Monitoring Officer outlined the two areas in the PAC terms of reference, one of which was approval of cases of redundancy following financial analysis and secondly, the arrangements in relation to appeals. The process for the latter would be retained and involve the director and 2 members and would be a consensus decision with members continuing to take a full part in the process.

Further to this discussion the Chairman suggested that there was a published record and it was confirmed that the pool of trained members could be identified and publicised following the dissolution of the PAC. It was further proposed to include a third recommendation on behalf of the Standards and Governance Committee that the current arrangements with regard to appeals continue which was supported by the Committee.

RECOMMENDED

- (i) That the Personnel Appeals Committee is discontinued;
- (ii) That the alternative arrangements for approving people management matters currently considered by the PAC, as outlined in section 4.3, apply;
- (iii) That the existing arrangements for appeals is continued and that the appeals are undertaken by the relevant director and 2 trained members.

Reason for Recommendations

The Staffing Committee oversaw matters relating to staff terms and conditions and people management policies.

Staffing Committee

Dorset County Council



Date of Meeting	24 March 2016
Officer	Assistant Chief Executive
Subject of Report	Redundancy and Redeployment Policies and Procedures and the role of the Personnel Appeals Committee
Executive Summary	<p>The redundancy and redeployment policies and procedures have been reviewed. The changes aim to simplify processes and provide managers with flexible procedures that meet statutory requirements. This report summaries the key changes and anticipated improvements.</p> <p>If approved, the new policies and procedures will be effective from 1 April 2016.</p> <p>Additionally, section 4 of this report includes a recommendation that the Personnel Appeals Committee (PAC) no longer meets to consider individual redundancy cases. This proposal would effectively mean that the PAC is discontinued. An alternative approach to member scrutiny for redundancy cases and other people management matters currently considered by the PAC is proposed.</p> <p>The terms of reference of the PAC are part of the council's Constitution. Any change to the role of the PAC will require approval of County Council. The recommendations of the Staffing Committee will be put forward to the County Council via the Standards and Governance Committee, with changes effective immediately following County Council approval.</p>
Impact Assessment: <i>Please refer to the protocol for writing reports.</i>	<p>Equalities Impact Assessment:</p> <p>Separate EqIAs have been completed in respect of the redundancy and redeployment policies and procedures. Both are attached at Appendices 3 and 4. Both have been considered by the Assistant</p>

	<p>Chief Executive's Diversity Working Group on 13 January 2016 and were also circulated to the Chairs of all other Directorate working groups and members of the Corporate Diversity Working Group for comment. No significant impact has been identified.</p> <p>Use of Evidence: The report is based on evidence including feedback regarding the practical application of the existing policies and procedures from Human Resources & Organisational Development (HR & OD) colleagues, managers and trade unions.</p> <p>Budget: If the decision of the County Council results in discontinuation of the PAC, there will be cost savings associated with the reduction in support to the committee.</p> <p>Risk Assessment:</p> <p>Having considered the risks associated with this decision using the County Council's approved risk management methodology, the level of risk has been identified as: Current Risk: Low Residual Risk: Low</p> <p>Other implications: None.</p>
Recommendation	<p>It is recommended that the Staffing Committee approve the revised redundancy and redeployment policies and procedures effective from 1 April 2016.</p> <p>Additionally, it is recommended that the Staffing Committee recommend to the County Council, via the Standards and Governance Committee:</p> <ol style="list-style-type: none"> 1 that Personnel Appeals Committee is discontinued; 2 that the alternative arrangements for approving people management matters currently considered by the PAC, as outlined in section 4.3, apply.
Reason for Recommendation	<p>The Staffing Committee oversee matters relating to staff terms and conditions and people management policies.</p>
Appendices	<p>Appendix 1: Proposed Redundancy Policy and Procedure Appendix 2: Proposed Redeployment Policy and Procedure Appendix 3: Equality Impact Assessment (Redundancy) Appendix 4: Equality Impact Assessment (Redeployment) Appendix 5: Terms of Reference of the Personnel Appeals Committee</p>
Background Papers	<p>The Council's Constitution includes the terms of reference of the PAC and the scheme of delegation: https://www.dorsetforyou.com/constitution/county</p>

	<p>The Statement of Policy on the local Government Pension Scheme 2014 Discretions for Dorset County Council: https://www.dorsetforyou.com/article/404678/Pay-Policy-Statement---Dorset-County-Council</p>
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1. Introduction

- 1.1. This report summaries the rationale for revising the existing redundancy and redeployment policies and procedures. Proposed new policies and procedures are attached.
- 1.2. Feedback about the practical application of the existing policies and procedures has been received from HR & OD Service colleagues and from managers across the council. Their views have been reflected in the revised policy and procedures, which will
 - modernise and streamline processes;
 - recognise the delegated responsibilities of managers;
 - support a self service approach;
 - reduce administration;
 - focus on statutory responsibilities.
- 1.3. The revised policies and procedures have been agreed in consultation with the recognised trades unions. The redundancy policy will be a revised collective agreement with the trade unions.
- 1.4. Additionally, this report includes a recommendation that the Personnel Appeals Committee (PAC) no longer meets to consider individual redundancy cases. This report considers an alternative approach to member scrutiny for people management matters, in section 4.
- 1.5. The proposals are all part of the support services transformation agenda, looking at ways to become more efficient and to create savings within services. Savings will be achieved:
 - a) by reducing any delay to the effective date of a restructure, which referral to the PAC can introduce;
 - b) within Democratic Services as a result of a review of committee support.

2. Summary of Changes: Redeployment Policy and Procedure

- 2.1. The current redeployment policy and procedure has been in place since 2008. At this time, the procedure was supported by a 'Redeployment Officer' role within the Human Resources Service. There were fewer redundancies and opportunities for redeployment within the council were more likely than in the current climate.
- 2.2. The existing policy and procedure is a 'one size fits all' approach, with all redeployees being entitled to 13 weeks on the redeployment register irrespective of the reason for redeployment or the individual circumstances. During the 13 week period, individuals receive selected vacancy information and support from the HR & OD Service. Vacancies are held for the consideration of redeployees before being released for advert.
- 2.3. The revised policy and procedure takes account of feedback from a survey of the 150 group of council managers, which received 64 responses.
- 2.4. The proposed changes would make the process more straightforward for those involved by:
 - a) providing clarity about the circumstances in which redeployment applies;
 - b) providing an element of flexibility, depending on the individual circumstances and the reason for redeployment;
 - c) reducing the period of redeployment for those on a fixed term contract;

- d) placing the emphasis on the redeployee (and manager) to identify potentially suitable roles;
- e) making more effective use of the council's e-recruit system, which also removes the delay in advertising vacancies.

2.5. The proposed new redeployment policy and procedure has been agreed in consultation with the trades unions.

3. Summary of Changes: Redundancy Policy and Procedure

3.1. The current redundancy policy and procedure has been in place since 2007. A separate 'voluntary redundancy protocol' was developed in 2011, initially intending to be a temporary measure to support the Meeting Future Challenges programme.

3.2. The existing procedure is a 'one size fits all' approach, outlining the same detailed approach to all restructuring exercises which may result in redundancy, regardless of the number of employees or potential redundancies involved.

3.3. Changes to the policy and procedure will enable more efficient and effective management of redundancy exercises by:

- a) providing clarity about the statutory requirements whilst enabling sufficient flexibility to tailor the approach to the individual restructuring exercise (particularly in relation to processes around consultation timeframes and selection for redundancy);
- b) incorporating elements of the voluntary redundancy protocol;
- c) emphasising the responsibilities of managers, in line with the scheme of delegation for people management matters;
- d) ensuring that equality considerations are reflected.

3.4. A number of existing processes add delay to decisions about individual redundancies, notably referral of individual redundancy decisions to the PAC in cases where the redundancy would result in capitalised pension costs under workplace pension schemes, particularly the Local Government Pension Scheme (LGPS). This leads to the recommendations outlined in section 4.

3.5. Whilst the redundancy policy and procedure apply to all council employees, it is a collective agreement with the Green Book trade unions. The policy and procedure are incorporated into individual employment contracts of those employed on Green Book terms and conditions. A new collective agreement has been reached, subject to approval of the new policy by the Staffing Committee. This means there is no requirement for wider consultation with staff about change to their individual contracts of employment.

4. The Role of the Personnel Appeals Committee

4.1. Redundancy and Capitalised Costs

4.1.1. When a member of the Local Government Pension Scheme (LGPS) aged 55 or over is made redundant, the employer must pay unreduced pension benefits and must also pay the cost of the strain on the fund of doing so (the capitalised cost). This is in accordance with the pension scheme regulations and the council has no alternative option. Cost should not be the only selection criteria for redundancy, however where the capitalised cost will be significant, the council may decide not to select that individual for redundancy because of cost.

- 4.1.2. The service in which the individual is employed is responsible for the redundancy selection process and for consideration of budget implications. The PAC provides an additional level of scrutiny by reviewing all proposed individual redundancies which involve capitalised costs to the pension fund.
- 4.1.3. In order for a case to be considered by the PAC:
- a) a business case will have been developed by the service;
 - b) the case will have been reviewed by and received support from the HR & OD Service. All pension quotations and capitalised costs are obtained via the HR & OD Service. An element of administrative support is provided by the HR & OD Service and Democratic Services in preparing for the PAC;
 - c) the Head of Service will have consulted their Accountant as appropriate about the budgetary implications of the recovery period for the capitalised costs.
- 4.1.4. Decisions regarding redundancy (relating to the entire restructure) can not be confirmed until PAC has met. Requests relating to the same restructuring exercise may need to go to consecutive PAC meetings if voluntary redundancies are being considered in the first instance - which is now increasingly the case.
- 4.1.5. The existing process:
- a) prolongs the uncertainty for affected individuals;
 - b) can delay the effective date of a restructure, which can mean a delay to achieving the associated cost savings.
- 4.1.6. In the past 12 months, there have been 90 redundancies (including voluntary redundancies). Of these, 48 have been referred to PAC and all of these have been approved.

4.2. **Other Terms of Reference**

- 4.2.1. Whilst the majority of applications to the PAC relate to capitalised costs of redundancies, the PAC also:
- a) Consider any requests for the employer to award discretionary payments to LGPS pension members which result in a cost to the county council. For example this might be waiving the actuarial reduction in benefits paid early due to voluntary or flexible retirement on compassionate grounds or business reasons. In the past 12 months, there have not been any requests to waive a reduction/enhance benefits. This reflects the council's policy statements on the LGPS 2014 discretions that the council will 'not normally' consider such cases.
 - b) Approve increments for posts under the Labour Market Adjustment Scheme (LMAS) on the basis of evidence showing recruitment and retention issues. In the past 12 months, the PAC has approved all new requests put forward under the scheme. Reviews of existing increments are undertaken every three years.
 - c) Consider whether costs arising from individual redundancies whose salary is charged to a school's delegated budget should be borne by a council budget or by the delegated budget. In the past 12 months there have been no such requests. Responsibility for determination of budget in cases when redundancy costs arise from a change in the organisation of schools is already delegated to the Director for Children's Services.
- 4.2.2. The Chairman of the PAC and members of the PAC are also consulted by the Chief Executive or a director regarding appeals against dismissal and grievance appeals.

4.3. **Proposal for Member consideration of people management matters outside of the Personnel Appeals Committee**

- 4.3.1. It is proposed that:
- a) Costs relating to individual redundancies – including those where there is a capitalised cost to the pension fund for early release of benefits – are subject to the approval of the Director. Quarterly reports summarising the numbers and costs of redundancies will be submitted to the Staffing Committee, who are responsible for the monitoring of decisions taken in relation to employment matters.
 - b) The process in relation to the Chief Executive, Assistant Chief Executive, Directors, Statutory Officers and Heads of Service will remain unchanged. The Staffing Committee have responsibility for these staff for issues relating to redundancy, including costs to the county council for early introduction of pension benefits.
 - c) All other decisions currently referred to the PAC are delegated to the relevant Director, after consultation with the cabinet member, including discretionary enhancements to pension provision and approval of labour market increments (LMIs).
 - d) Appeals against dismissal and grievance appeals continue to be heard following consultation with a member. It is recognised that a pool of members experienced in HR & OD matters is required, under the remit of the Staffing Committee.
- 4.3.2. Additionally, in relation to 4.3.1 d) it is proposed that the pool of senior managers is extended, enabling appeals to be heard by a higher tier of management to the decision making manager; the existing process allows only the Chief Executive and four Directors to hear appeals against dismissal. This approach will widen the pool of decision makers to include the Assistant Chief Executive, the statutory officers and Heads of Service (including the Director of the Dorset Waste Partnership).
- 4.3.3. The proposal in 4.3.1 would mean that the PAC is discontinued. The terms of reference of the PAC are part of the council's Constitution. Any change to the role of the PAC will require approval of the County Council. The recommendations of the Staffing Committee will be put forward to the County Council via the Standards and Governance Committee.
- 4.3.4. The approach also supports a review of support to committees provided by Democratic Services.

4.4. **Benefits of Proposal**

- 4.4.1. The proposed approach would:
- a) put operational people management decision making in line with the Scheme of Delegation for People Management Decisions;
 - b) enable decisions to be made more quickly outside of a Committee framework, which in turn would enable savings to be achieved from an earlier date;
 - c) reduce resource requirements for support to the PAC;
 - d) be in line with the approach to other people management matters, such as the Key Skills Recruitment Bonus Scheme, which the Staffing Committee approved in January. Approval of a bonus under the scheme is at the discretion of the relevant Director after consultation with the cabinet member.

4.5. **Risks of Proposal**

- 4.5.1. The proposals in 4.3 may be perceived to remove a level of scrutiny from decision making.
- 4.5.2. Whilst this risk is acknowledged, it is considered that it would be mitigated by:

- a) continued involvement of members in decisions currently made by the PAC, albeit outside of committee meetings;
- b) continued responsibility of the Staffing Committee in relation to redundancy for: the Chief Executive, Assistant Chief Executive, Directors, Statutory Officers and Heads of Service;
- c) continued overview and monitoring by the Staffing Committee of decisions taken in relation to other employees;
- d) ensuring all senior managers are aware of their responsibilities and accountability for such decisions, including financial delegations;
- e) continued provision of support and appropriate challenge throughout the whole restructuring process from the HR & OD Service. All pension quotations and capitalised costs would continue to be obtained via the service;
- f) support from the HR & OD Service in developing the business case for LMIs, as per the Key Skills Recruitment Bonus Scheme;
- g) effective review and communication of related policies, procedures and guidance including the redundancy policy and procedure.

5. Public Sector Exit Payments

- 5.1. It should be noted that the Government are proposing the implementation of various statutory measures to reduce the cost of individual public sector exit payments including:
- a) a cap on the cost of an exit package including associated pension costs;
 - b) repayment of exit payments where an employee leaves and is then re-employed in the public sector within twelve months and
 - c) requiring employer-funded early access to pension to be limited or ended (currently under consultation).

6. Personnel Appeals Committee Views

- 6.1. All members of the PAC have been sent a copy of this paper and invited to comment and to attend the Staffing Committee meeting on 24 March. Any comments from members unable to attend will be reported at the meeting on 24 March.
- 6.2. In addition the Head of Legal and Democratic Services has met with the Chairman of the PAC to outline the proposed changes. The Chairman of the PAC has welcomed the opportunity for members of PAC to comment and he will be attending the meeting on 24 March.

7. Trades Unions View

- 7.1. The trades unions have been consulted regarding both the redundancy and redeployment policies and procedures. Their feedback has been incorporated into the final versions attached.
- 7.2. The trades unions have raised no concerns regarding the proposal to discontinue the PAC or the alternative options for dealing with people management matters.

8. Next Steps

8.1. Redundancy and Redeployment Policies and Procedures

- 8.1.1. In order that the new redundancy and redeployment policies and procedures are applied consistently and that managers are engaged with the changes, a range of communications will be provided if the new policy and procedures are approved.

8.1.2. A range of supporting guidance will be published and communicated for managers and employees.

8.1.3. Other people management policies, procedures and guidance which refer to the existing redundancy and redeployment procedures will be updated to reflect the changes.

8.2. **The role of the Personnel Appeals Committee**

8.2.1. If the recommendations outlined in this report at section 4 are approved by the County Council, the following documents will be updated to reflect the changes:

- a) The Labour Market Adjustment Scheme
- b) The Statement of Policy on the Local Government Pension Scheme 2014 Discretions.
- c) References to the Personnel Appeals Committee in the Constitution and related HR & OD guidance, including the right of appeal against dismissal and grievance appeals.

Patrick Ellis
Assistant Chief Executive

24 March 2016

Redundancy policy

1. Introduction

- 1.1. The council is committed to making the best possible use of public money for the benefit of local people, ensuring that Dorset's people continue to receive the services they need the most. The council continues to review services to ensure they are affordable and delivered in the most effective way.
- 1.2. Whilst the council is committed to avoiding redundancies wherever possible, it is recognised that the need for change will, at times, lead to reorganisation and restructuring of services and to redundancies. Where such changes are necessary, the council will ensure that employees are treated with equity and consistency, in accordance with this policy.

2. Scope

- 2.1. This policy applies to all council employees, excluding school based employees.
- 2.2. This policy has been developed in consultation with the recognised trade unions.
- 2.3. This policy does not apply where the employment contract is to be transferred to another employer in accordance with the provisions of the Transfer of Undertakings (Protection of Employment) Regulations 2006.
- 2.4. The principles of this policy apply to both compulsory and voluntary redundancy.

3. Key Principles

- 3.1. The council will:
 - make every effort to mitigate the need for redundancies;
 - ensure that employees and their recognised trade unions representatives are fully consulted on any proposals and their implications. Consultation will begin at the earliest opportunity and will be carried out in accordance with the redundancy procedure;
 - seek suitable alternative employment, wherever possible, for employees who are selected for redundancy;
 - ensure, where compulsory redundancies are unavoidable, that selection for redundancy is based on criteria that is fairly and objectively applied;
 - provide support and advice to employees during change and reorganisation;
 - ensure that any restructuring exercise which will potentially result in redundancies is supported by a fully costed business case.
- 3.2. An employee under notice of redundancy will be entitled to a reasonable amount of paid time off to look for alternative work.
- 3.3. An employee has the right of appeal if they feel that their selection for redundancy is unfair or that the reason for dismissal is not redundancy.
- 3.4. Should circumstances change which subsequently reduces the requirement for redundancies, notice of redundancy may be withdrawn (this applies in respect of both voluntary and compulsory redundancy cases). If the employee does not agree and refuses an offer of suitable alternative employment, this may affect their entitlement to a redundancy payment.

4. Redundancy Compensation

- 4.1. Employees who have at least 2 years continuous local government service at the date of dismissal will qualify for a redundancy payment, regardless of age.
- 4.2. Redundancy compensation payments will be made in accordance with:
 - the Redundancy Payments (Continuity of Employment in Local Government) (Modification) Order 1999)
 - the council's formula for calculating redundancy payments that applies at the date of notice of dismissal.
 - statutory requirements in relation to tax free payments and public sector exit payments
- 4.3. Employees who are also active members of a workplace pension scheme provided by the council may be required to take their pension benefits when they are dismissed on the grounds of redundancy, in accordance with pension scheme regulations.
- 4.4. Employees may be entitled to salary protection if redeployed as a result of redundancy or reorganisation as specified in the salary protection policy.
- 4.5. Employees who fail to accept a reasonable offer of suitable alternative employment will lose their entitlement to redundancy compensation.
- 4.6. Employees who agree to voluntary redundancy will not return to direct or indirect employment with the council (excluding employment within Dorset County Council schools) within one year of the date of redundancy dismissal.

5. Trade Union Representation

- 5.1. The appropriate recognised trade unions will be notified as soon as possible when potential redundancies are being considered.
- 5.2. Trade union representatives will be invited to take part in formal consultation on behalf of affected employees.
- 5.3. Consultations will be carried out with individual employees as appropriate. Employees will be encouraged to be accompanied by a trade union representative or a work colleague.

6. Equality and Diversity

- 6.1. The policy will at all times be applied in accordance with the council's diversity policy, which states:

"The county council is committed to diversity and equality of opportunity so that no employee or potential employee will be subject to unlawful or unfair discrimination because of gender, age, marital or civil partnership status, colour, race, nationality, or other ethnic or national origin, religion or belief, disability, sexual orientation, gender reassignment, pregnancy or maternity, criminal background, membership or non-membership of a trades union or political beliefs."

- 6.2. Selection criteria for redundancy will be free from any direct or indirect discrimination because of any protected characteristic.

Appendix 1

- 6.3. Employees who are absent because of maternity, paternity, paternity support, adoption or shared parental leave will be offered any suitable alternative work that is available if they are made redundant while they are absent.
- 6.4. In all cases, where employees have particular support needs by reason of disability, language or other factors, reasonable adjustments will be considered and made as necessary.

Redundancy procedure

1 When to follow the redundancy procedure

- 1.1 The redundancy procedure should be followed whenever organisational changes are proposed which are likely to result in any employee being dismissed on the grounds of redundancy.
- 1.2 An employee can only be dismissed on the grounds of redundancy when it is clear that the employee's job does (or will) no longer exist. This might happen as a result of a restructure or reorganisation or because a change has been made to service provision.
- 1.3 At the outset of any restructuring exercise, it is essential to fully consider whether redundancy may be an outcome.
- 1.4 From time to time, changes to service provision or ways of working will mean that there are minor changes to duties or patterns of work but there is still a requirement for the same number of employees to do the work. The full redundancy procedure does not need to be followed in these circumstances because there is no potential for any employee to be dismissed on the grounds of redundancy.
- 1.5 The change management guidance provides guidelines for completing a business case which will identify whether redundancies are likely. Prior to any consultation, a business case must be completed and the full financial and resource implications identified. The guidance also supports managers in managing restructuring processes when redundancy won't be an outcome.
- 1.6 Where a redundancy situation is likely, all stages of this redundancy procedure must be followed to ensure that any redundancy dismissal is fair. This procedure includes the statutory requirements for handling redundancies. The service's [Human Resources & Organisational Development \(HR&OD\) Business Partner](#) must be informed of any restructure or reorganisation which might result in potential redundancies at the earliest stage, so that appropriate professional advice and support can be provided throughout the process, as required.
- 1.7 If a fixed term contract is ending for reason of redundancy and no other individuals are affected, the [redundancy protocol for fixed term contracts only](#) should be followed. Refer to the [fixed term contract protocol](#) to find out more about when the reason for ending a fixed term contract will be redundancy.

2 Redundancy compensation payments

- 2.1 Depending on their length of service, an employee may be entitled to a redundancy compensation payment and, in some cases, will be required to access their pension benefits early if they are made redundant. Employees' entitlements to benefits payable on redundancy and details of any choice that may be available to individuals is described in the [redundancy compensation guidance](#).

3 Communication and Consultation

- 3.1 Effective consultation is the responsibility of the service. The service will need to decide on the best ways to consult and communicate.
- 3.2 Communication and informal consultation should begin at the earliest opportunity, when it is first known that redundancies could be considered. This may include sharing

Appendix 1

initial information with employees and recognised trades unions representatives before formal collective consultation.

- 3.3 Throughout the consultation process, discussions should focus on how to reduce the number of redundancies, perhaps by:
- agreeing not to fill vacancies arising from employees who choose to leave during the consultation period or introducing other recruitment restrictions
 - considering applications for [voluntary redundancy](#) or [flexible retirement](#)
 - considering whether reducing contractual hours or introducing other [flexible working](#) patterns or arrangements could be an alternative
 - discussing the approach that will be taken to look for [suitable alternative employment](#). (see section 7).
- 3.4 No public announcements of potential redundancies will be made until all employees concerned have been informed.

4 Formal Collective Consultation

- 4.1 Formal collective consultation (consultation with the recognised trade unions on behalf of the affected employees) must always be at an early enough stage to allow discussions as to whether redundancies are necessary at all. Timescales for formal collective consultation should be considered as part of informal consultation.
- 4.2 There are statutory requirements relating to formal collective consultation when more than 20 redundancies are anticipated at a single establishment, including:
- timescales for the consultation period. (Statutory timeframes must always be followed as a minimum);
 - notifying the Redundancy Payments Service (RPS).
 - providing written notification and information about the proposals to the recognised trade union representatives
- 4.3 Managers are expected to follow the council's [redundancy consultation guidance](#) in order to understand the statutory requirements; the various methods of consultation and the aspects of the process that should be consulted on.
- 4.4 At the start, formal consultation should be in respect of all employees who will be affected by the changes in some way – not just those who are potentially at risk of redundancy.
- 4.5 Formal consultation with trade union representatives must continue throughout the consultation period. The recognised trade unions will have the opportunity to respond to the proposals.

5 Formal Individual consultation

- 5.1 All affected employees must be offered the opportunity to have one or more individual consultation meetings as soon as possible within the formal consultation period. The purpose of the meeting(s) is to clarify their personal position; allow them to comment on the proposals and give an opportunity for them to ask any questions about the process.
- 5.2 The employee may be accompanied by a trade union representative or work colleague. Employees can not be accompanied by a practising lawyer.

Appendix 1

- 5.3 Every reasonable effort should be made to ensure that information is given sensitively and in an appropriate format taking account of individual circumstances. Employees must be given a full opportunity to put forward comments and suggest alternatives before the end of the formal consultation period. Employees are expected to raise any concerns about the process as part of consultation (and not by way of the grievance procedure).
- 5.4 Employees who are absent for any reason (including but not limited to maternity or paternity leave or sickness absence) must be fully consulted and given the same opportunities for consultation and individual meetings as all other employees, regardless of whether they are at work or not.
- 5.5 Any suggested alternatives to redundancy must be given full and proper consideration by the service. A written response must be given to any alternative proposals from employees or trade unions, giving reasons for accepting, modifying or rejecting alternatives.

6 Redundancy Selection Criteria and Process

- 6.1 If there is a need to make compulsory redundancies, fair and objective redundancy selection arrangements will have been agreed during consultation.
- 6.2 Refer to the [selection for redundancy guidance](#) to:
- consider appropriate selection criteria
 - understand criteria that must not be applied
 - consider alternative approaches to the selection process, (such as post preferencing and selection interviews)
- 6.3 Applications for voluntary redundancy will be considered on a case by case basis from individuals whose position:
- is at risk of redundancy or
 - is not at risk of redundancy but is within the scope of the restructure AND might provide [suitable alternative employment](#) for an employee who is at risk. (This is a 'bumped' redundancy: if the application for voluntary redundancy is approved, the dismissal avoids a compulsory redundancy for another employee).
- 6.4 Managers must ensure that any voluntary 'bumped' redundancies are a fair dismissal and that the vacancy arising is a suitable alternative for an at risk employee. Advice is available from the HR & OD Service.
- 6.5 Whilst meeting the needs of the service remains the priority, the wishes of the employee will be taken into account. Refer to the [voluntary redundancy application guidance](#).

7 Suitable Alternative Employment

- 7.1 The county council will make every effort to find suitable alternative employment for employees whose posts are redundant. Arrangements for identifying suitable alternatives will have been agreed as part of consultation, in accordance with the [suitable alternative employment guidance](#).
- 7.2 Special conditions apply in certain circumstances. Any employee who is absent because of family leave including [maternity leave](#), [paternity leave](#) (maternity support leave), [adoption leave](#) and [shared parental leave](#) must be offered any suitable alternative employment that is available if they would otherwise be made redundant

Appendix 1

whilst they are on leave. Consideration must be given to any [reasonable adjustments](#) to the process that might be necessary for disabled employees.

- 7.3 Initially, there might be an opportunity to offer suitable alternative employment in one of the new roles created by the restructure before any wider approach to [redeployment](#) is considered and before any notice of dismissal is issued.
- 7.4 A formal offer of the new post must be made in writing.
- 7.5 If an employee accepts an offer of suitable alternative employment, they may be entitled to a trial period of 4 weeks in the alternative role. If they are confirmed in the alternative role, there is no redundancy dismissal and therefore no entitlement to any [redundancy compensation](#). Further information about trial periods is available in the [suitable alternative employment guidance](#).
- 7.6 Where applicable, salary protection will be applied in accordance with the [salary protection policy](#) that applies to the employee's terms and conditions group.
- 7.7 If an employee disagrees that the post they are offered is suitable alternative employment, they should raise their concerns with their line manager in the first instance.
- 7.8 If it is agreed that the alternative offer of employment is not suitable, the employee will still be entitled to receive redundancy compensation.
- 7.9 If an employee doesn't accept an offer of suitable alternative employment, they can be dismissed on the grounds of redundancy but will lose any entitlement to a redundancy payment.
- 7.10 Where it is not possible to identify any suitable alternative employment, notice of redundancy dismissal will be issued subject to any final approval process. In these cases all reasonable efforts will continue to identify suitable alternative employment, until the last day of employment, in accordance with the [redeployment policy and procedure](#), as an alternative to dismissal on the grounds of redundancy.

8 Dismissal on the grounds of redundancy

- 8.1 The appropriate approval must always be obtained before notice of dismissal is given in accordance with:
 - the [scheme of delegation on people management matters](#) and
 - the [redundancy compensation guidance](#), (for example where there is cost due to early release of pension benefits).
- 8.2 In the case of compulsory redundancy, notice of dismissal can only be given when the formal consultation period is genuinely complete. No dismissal can take effect before the end of the formal consultation period.
- 8.3 If an application for voluntary redundancy is approved, notice may be issued before the end of the formal consultation period. Refer to the guidance for approving a [voluntary redundancy](#).
- 8.4 An employee is entitled to receive their [contractual notice period](#) when issued with written notice of redundancy.
- 8.5 Where an employee is absent due to long-term sickness during their notice period, medical certificates will need to be supplied.

- 8.6 In very exceptional circumstances it may not be possible to allow employees to work for their full notice period in their usual workplace. In these cases, employees are still entitled to their contractual notice pay and consideration should be given as to whether they can continue to work at another location or be temporarily redeployed to suitable alternative work for the duration of their notice period.

9 Time off for training for other employment or to seek employment

- 9.1 During their notice period, employees have a statutory right to reasonable paid time off during working hours to seek other employment, access training, and attend interviews for employment inside and outside of the council. The employee must give evidence to support requests and reasonable notice of any time off required.

10 Annual leave

- 10.1 An employee will be expected to take the annual leave that they will accrue up to the date of the expiry of their notice period. There will be no payment in lieu made in respect of annual leave unless it is specifically agreed that leave cannot be taken due to operational constraints.

11 Accepting an offer of employment within 4 weeks of leaving

- 11.1 Where an employee who is under notice of redundancy receives an offer of employment from another [body included on the Redundancy Payments \(Continuity of Employment in Local Government\) \(Modification\) Order 1999](#) before the termination of their employment and takes it up within 4 weeks of leaving the council, there will be no dismissal for redundancy payment purposes because employment with the new employer is continuous. The individual's right to a redundancy payment will be lost (unless the individual decides not to continue with the new job during the first 4 weeks).
- 11.2 Find out more about the [Modification Order](#).

12 Returning to public sector employment within one year of redundancy

- 12.1 Employees should be made aware of the circumstances in which they may be legally required to repay their redundancy payment if they accept another offer of public sector employment within one year of the date of redundancy dismissal. Refer to the [redundancy compensation guidance](#).
- 12.2 Where voluntary redundancy is agreed, this will be on the basis that the individual employee will not return to employment with the council (excluding employment within DCC schools) within one year of the date of redundancy dismissal.

13 Leaving the employment of the county council before the end of the notice period

- 13.1 In redundancy situations, once an employee has been formally given notice, should they wish to leave before the expiry of their notice period, they will still be entitled to a redundancy payment, where eligible, although it will be recalculated to take account of the revised leaving date. This will be subject to the agreement of the service. Any such agreement must be in writing. In such cases the notice period will be reduced to take account of the agreed counter notice.

14 Right of appeal

Appendix 1

14.1 An employee has the right of appeal if they feel that their selection for redundancy was unfair or that the reason for their dismissal is not redundancy.

14.2 The appeal process is set out in the ['right to appeal against dismissal'](#) guidance.

14.3 The effective date of dismissal on redundancy grounds will remain as stated in the notice letter unless the appeal is successful.

14.4 There is no right of appeal if an application for voluntary redundancy is declined.

15 Grievances in respect of other matters

15.1 No right of appeal exists in respect of the reason for declaring redundancies or requiring redeployment.

Appendix 2

Redeployment policy

1. Introduction

- 1.1. The council is committed to keeping its staff in employment as far as it is possible.
- 1.2. There will be occasions when employees are at risk of losing their job. The council will make every effort to redeploy employees into a suitable alternative position when they are at risk because of redundancy, on medical advice, or in other appropriate circumstances.
- 1.3. A positive approach to redeployment enables the council to maintain the skills and experience of valued employees.

2. Scope

- 2.1. This policy applies to all council employees, excluding school based employees.
- 2.2. Prior consideration for council vacancies will be given to Dorset County Council employees only (and not partner organisations or schools staff) unless exceptionally agreed.
- 2.3. Prior consideration for council vacancies will not be given to seconded staff who have a right to return to a substantive post at a partner organisation.
- 2.4. Whilst each case will be considered on its own merits, the council reserves the right not to offer redeployment in cases of dismissal due to conduct, capability or some other substantial reason.
- 2.5. This policy has been developed in consultation with the recognised trade unions.

3. Key Principles

- 3.1. Every effort will be made to seek suitable alternative employment for employees who are identified as being eligible.
- 3.2. Employees and their trade unions representatives will be involved at the earliest opportunity in decisions which may affect them.
- 3.3. Employees will be informed if they are eligible for redeployment and support and guidance will be provided. Employees are also responsible for actively seeking redeployment opportunities during the redeployment period.
- 3.4. Those eligible for redeployment will be able to apply for vacancies within Dorset County Council with prior consideration being given to their application, as part of the normal recruitment process. Whilst prior consideration does not guarantee an appointment, employees who are eligible for redeployment will be offered the post if they are suitable, before other candidates.
- 3.5. Employees will be treated in a fair and reasonable manner. Arrangements, including the length of time during which redeployment will be sought, will be agreed in accordance with the redeployment procedure and will be appropriate to the particular circumstances. The

Appendix 2

needs and preferences of the individual will be considered alongside the needs of the service.

- 3.6. The council will meet its statutory obligations to seek to identify a suitable alternative vacancy for employees at risk of redundancy, in accordance with the [redundancy policy and procedure](#).
- 3.7. In redundancy cases, and in other appropriate circumstances, redeployment will be offered subject to a trial period in accordance with the redeployment procedure.
- 3.8. Salary protection will normally only apply in cases of redeployment due to redundancy, in accordance with the [salary protection policy](#) that applies to the individual's terms and conditions of employment. Any excess travel costs relating to redeployment can only be made in accordance with the [Dorset Travel Scheme](#).
- 3.9. Opportunities for redeployment will continue to be sought until the date of termination or until the employee is confirmed in a new post following a trial period.
- 3.10. Any service going through a restructuring process is not expected to give prior consideration to staff outside of the restructuring process until those immediately at risk have been considered in accordance with the [redundancy policy and procedure](#).

4. Equality and Diversity

- 4.1. The policy will at all times be applied in accordance with the council's diversity policy, which states:

"The county council is committed to diversity and equality of opportunity so that no employee or potential employee will be subject to unlawful or unfair discrimination because of gender, age, marital or civil partnership status, colour, race, nationality, or other ethnic or national origin, religion or belief, disability, sexual orientation, gender reassignment, pregnancy or maternity, criminal background, membership or non-membership of a trades union or political beliefs."

- 4.2. Redeployment may be considered as a reasonable adjustment under the Equality Act 2010 where appropriate.

Redeployment Procedure

1. Eligibility for Redeployment

- 1.1. Eligibility for redeployment means that the individual will receive prior consideration for appointment to suitable vacancies during the normal [recruitment selection process](#) because they are at risk of losing their job. Prior consideration means that, if the individual meets the essential criteria on the person specification, they will be entitled to an interview before any other candidate and should normally be offered the job if they are suitable.
- 1.2. Employees may be at risk of losing their job and become eligible for redeployment as a result of one of a number of people management procedures including [redundancy](#) and [sickness absence](#).
- 1.3. In some cases, redeployment may also be a recommendation arising from a capability or [conduct](#) procedure or arising from a [close personal relationship at work](#). Advice is available from the HR & OD Service as to whether prior consideration under this redeployment procedure should apply in these circumstances. Any course of action that may lead to a dismissal will always follow the appropriate people management procedure. There may be circumstances where redeployment is not appropriate. Before deciding that redeployment is not appropriate, advice should be sought from the HR & OD Service.
- 1.4. Redeployment can be considered as a [reasonable adjustment](#) in medical cases if the Equality Act 2010 applies and:
 - medical advice from [Occupational Health](#) has been obtained and
 - the employee is unlikely to be fit to undertake (or return to) their substantive post for a prolonged period; and
 - no other reasonable adjustments can be put in place;
 - the new role is considered by Occupational Health to be appropriate.
- 1.5. Employees with more than one year's continuous service, including those on a fixed term contract, are eligible for redeployment.
- 1.6. Irrespective of the reason for redeployment, employees will always be advised by their line manager:
 - that this redeployment procedure applies to them
 - of the period during which redeployment applies
 - of the potential outcome(s) if redeployment is not possible
- 1.7. The point at which employees at risk of redundancy become eligible for wider redeployment opportunities under this procedure will be decided during the formal consultation process in accordance with the [redundancy procedure](#). Employees at risk of redundancy will normally be required to consider any [suitable alternative employment](#) within the restructuring exercise before this redeployment policy and procedure applies.
- 1.8. Employees will be eligible for redeployment for a maximum period of 13 weeks, which can include their normal [contractual notice period](#). Redeployment may apply before contractual notice is issued if the individual is at risk of redundancy or redeployment is being sought as a reasonable adjustment. Advice about appropriate timeframes is available from the [HR & OD Service](#).

Appendix 2

- 1.9. If a fixed term contract is ending for any reason other than redundancy, redeployment will apply during their [contractual notice period](#). If the fixed term contract is in scope as part of a restructuring exercise and the individual is at risk of dismissal due to redundancy, they will be eligible for redeployment for the length of time that is agreed during consultation. Refer to the [Fixed Term Contract Protocol](#) to consider the reason for dismissal.
- 1.10. Individuals may be informed that the redeployment procedure applies before or on the date that notice of dismissal is issued but not after this date. The employee may be given more notice than their contractual notice period if appropriate under this procedure (for example if it is agreed that notice of redundancy is issued to all affected employees in one restructuring exercise on the same date). Employees remain eligible for redeployment until their last day of employment.

2. Prior Consideration

- 2.1. Once an employee is identified as being eligible for redeployment, they will be entitled to apply for posts with prior consideration.
- 2.2. The employee is expected to identify and apply for potentially suitable alternative posts.
- 2.3. All council vacancies are advertised online at dorsetforyou.com. Employees applying for a post for which they are eligible for prior consideration at that grade should select the 'eligible for prior consideration' option when making their on-line application, so that they can be identified as a redeployee by the recruiting manager.
- 2.4. The manager who has confirmed that the employee is at risk (particularly in redundancy cases and where redeployment is being sought as a reasonable adjustment for a disabled employee) should also make every effort to support the employee in identifying a suitable alternative role within the council.

3. Support

- 3.1. Employees will be given guidance about using the council's on-line vacancy system on dorsetforyou, including setting up alerts to be notified of potentially suitable vacancies.
- 3.2. Employees will be given support which might include:
 - access to appropriate [learning and development opportunities](#) which can prepare them for seeking alternative employment;
 - any [reasonable adjustments](#) to the process if the Equality Act 2010 applies;
 - the council's [wellbeing service](#) and [contact officers](#);
 - information about external support, such as [JobCentre Plus](#).
- 3.3. Members of a [recognised trade union](#) can also contact their trade union representative for support. Advice about the redeployment policy and procedure is available from the [HR & OD Service](#).
- 3.4. If the employee is at risk of redundancy, they will be given reasonable paid time off to seek other employment, access training and attend interviews for employment inside and

Appendix 2

outside of the council. The employee must be able to provide evidence to support requests and reasonable notice of any time off required.

4. Recruiting Managers

- 4.1. It is the responsibility of recruiting managers to:
 - give redeployment candidates prior consideration for interview;
 - appoint redeployment candidates if they meet the essential criteria or could do within a reasonable timeframe.
- 4.2. Recruiting managers may also contact HR & OD for details of current redeployees who may be a potential match for their vacancy and advertise their vacancy via email to these individuals before they place an advert.

5. Recruitment Applications

- 5.1. Applications are made on-line as part of the normal recruitment and selection process via [dorsetforyou](#).
- 5.2. Redeployment to a fixed term contract may be agreed where appropriate, in accordance with the guidance in the [Fixed Term Contract Protocol](#).
- 5.3. Employees are able to apply, with prior consideration, for any post at any grade, unless specifically informed otherwise, that they consider a suitable alternative. For example, those seeking redeployment due to conduct may only be eligible to apply for posts with 'prior consideration' at their own grade or lower.
- 5.4. Individuals will be selected for interview if they meet the essential criteria of the post, or could do within a reasonable timeframe.
- 5.5. The redeployee will receive prior consideration for attending a selection interview, which can be before the deadline for all applications is reached, if their application is received prior to this date. Those eligible for redeployment should be interviewed before other potentially suitable candidates.
- 5.6. If more than one redeployee applies, decisions will be made based on the selection process. Consideration can also be given to the reason that the employees are being redeployed: the council has a duty to provide suitable alternative employment for those at risk of redundancy first, where possible. Additionally those at risk of redundancy who are absent due to family leave may receive priority. Refer to the [redundancy policy and procedure](#) for more information.
- 5.7. Any [reasonable adjustments](#) to the process should be considered for those eligible for redeployment because of a disability.

6. Job Offers

- 6.1. The redeployee should be offered the post if they meet the essential criteria or could do within a reasonable timeframe, as determined by the needs of the service within their available resources.

Appendix 2

- 6.2. If a manager does not intend to appoint a redeployment candidate who is, or could be, suitable for the position, they must provide the candidate with clear reasons which are free from any potential discrimination. If the manager does not intend to offer the position, they are advised to take advice from the [HR & OD Service](#) before making a decision.
- 6.3. Positions can be offered on a trial basis. Where the candidate is otherwise at risk of redundancy, they are entitled to a minimum 4 week trial period.
- 6.4. In the case of redundancy, the existing line manager will need to consider whether the post the employee is offered is a suitable alternative. The manager should refer to the guidance on [suitable alternative employment](#). If the job offer is made as a suitable alternative to redundancy, the individual must be made aware of:
 - the trial period
 - what will happen if the offer is not accepted (including any loss of entitlement to a redundancy payment)
 - any [salary protection arrangements](#)
 - any excess travel costs that can be claimed under the [Dorset Travel Scheme](#)
- 6.5. The job offer should be made using the relevant eform in DES via manager self service.
- 6.6. The offer letter must include any particular conditions specific to the redeployment arrangements, including any arrangements for a trial period. The manager should ensure that any particular conditions are specified in the 'other information' field in the offer letter request on DES.
- 6.7. Offers may be subject to any applicable [pre-employment checks](#).
- 6.8. Salary protection does not apply for redeployment unless it is an alternative to redundancy.

7. Trial periods

- 7.1. Employees who are redeployed to an alternative post in order to avoid redundancy are entitled to a minimum statutory trial period of 4 weeks.
- 7.2. A trial period can also be agreed in the case of redeployment on other grounds.
- 7.3. A longer trial period may be arranged by mutual agreement between the recruiting manager and the employee being redeployed, with advice from the HR&OD Service.
- 7.4. During the trial period, progress must be reviewed on a regular basis (at least weekly). The trial period may be extended by mutual agreement if appropriate.
- 7.5. The trial period can begin before the end of the notice period. If a trial period extends beyond the end of an employee's notice period, notice will be extended until the end of the trial period.
- 7.6. During, or at the end of the trial period, the employee or the recruiting manager may decide, with reasonable grounds, that the appointment is not suitable.

Appendix 2

- 7.7. If the role is not suitable, provided the individual's notice period has not expired, the employee will:
- return to their substantive post until the end of their notice period
 - continue to be eligible for redeployment until their last day of employment.
- 7.8. If redeployment is being sought as a suitable alternative to redundancy and it is determined during the trial period that the role is not a suitable alternative, the employee will still receive redundancy benefits. Refer to the guidance about [suitable alternative employment](#) in redundancy situations.



Equality Impact Assessment – Screening Form

Service: Human Resources and Organisational Development

Title of Strategy, policy, project or service: Redundancy Policy & Procedure

Type of Strategy (select as appropriate)

Existing:

New/proposed:

Changing/Update/revision

Other

please list below

Officers Involved in the Screening:

Sarah Butcher, Principal HR & OD Advisor, Human Resources & Organisational Development

Claire Leech, HR & OD Advisory, Human Resources & Organisational Development

Recognised trades unions are being consulted.

Final approval for a revised redundancy policy will be via the Staffing Committee.

1. What is the aim of your strategy, policy, project or service?

To review the council's redundancy policy and procedure (incorporating the voluntary redundancy protocol) to ensure that it remains fit for purpose. To continue to meet our statutory requirements. To ensure that the process is efficient.

The redundancy policy and procedure is being reviewed alongside a review of the redeployment policy and procedure. The redundancy policy and procedure will therefore not include specific detail about the council's approach to redeployment.

The key changes:

- The intention is to move to a 'toolkit' approach: detailed guidance which is not a procedural step is taken out of the procedure - to make it easier to follow and to highlight the key stages. A range of guidance will support the redundancy policy and procedure and this will be developed to include examples. This will enable an appropriate approach to be agreed, with advice and guidance from HR & OD, in relation to individual restructuring exercises for the benefit of individuals and the service. This additional guidance would cover: redundancy compensation; consultation; suitable alternative employment; selection criteria and process; change management.

Appendix 3

- For redundancies of 1 – 20, bringing the formal consultation period in line with the statutory requirement. This removes the requirement for the service to consult formally for at least 30 days and instead allows for reasonable consultation. This enables a proportionate approach, ensuring that there is no unnecessary delay for anyone involved in a smaller restructuring exercise. Informal consultation and all other steps remain.
- In relation to voluntary redundancy, reducing the number of steps from expressing an interest to making an application, whilst highlighting considerations for the individual of taking a decision which impacts on their financial situation.
- Throughout, the procedures have been updated to reflect the new scheme of delegation for people management matters and to clarify the responsibilities of the restructuring service.
- New wording in the procedure clarifies the organisation's responsibilities in relation to seeking alternative employment for those on family leave and in relation to reasonable adjustments for disabled employees.

2. Who will it impact upon (For example, service users, visitors, staff members)

Staff members: those who are at risk of redundancy and those involved in managing the process.

3. Does or could the service, strategy, policy, project or change have an impact upon the following:

Protected characteristic	Positive impact	Negative / No impact	Unclear
Age	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Disability	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Gender Reassignment	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Pregnancy and Maternity	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Race and Ethnicity	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Religion or Belief	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sex	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sexual Orientation	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other socially excluded groups (Carers, rural isolation, low income, military status)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

The procedure specifically highlights considerations for individuals who may be absent due to family leave or other reasons and consideration of reasonable adjustments for disabled employees. This will additionally be highlighted in accompanying guidance, particularly in relation to seeking suitable alternative employment for those at risk. Examples will be included.

The policy and procedure has not changed significantly – all statutory responsibilities remain included. No impact has been identified for the other groups.

4. Does this have any impact on the workforce in relation to the following:

Protected characteristic	Positive impact	Negative / No impact	Unclear
Age	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Disability	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Gender Reassignment	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Pregnancy and Maternity	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Race	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Religion or Belief	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sex	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sexual Orientation	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other socially excluded groups (Carers, rural isolation, low income, military status)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

5. If your answers to Q3 and 4 are mostly ‘negative ‘or ‘unclear’, you need to consider a full EqIA. If you do not intend to carry out one, please explain why:

The policy and procedure has not changed significantly – all statutory responsibilities remain included. No impact has been identified for the other groups.

Upon completion of this form, it must be sent to your Directorate Equality lead for approval.

Screening form approved by:

Date:



Equality Impact Assessment – Screening Form

Service: Human Resources and Organisational Development

Title of Strategy, policy, project or service: Redeployment Policy & Procedure

Type of Strategy (select as appropriate)

- | | |
|--------------------------|--|
| Existing: | <input type="checkbox"/> |
| New/proposed: | <input type="checkbox"/> |
| Changing/Update/revision | <input checked="" type="checkbox"/> |
| Other | <input type="checkbox"/> please list below |

Officers Involved in the Screening:

Sarah Butcher, Principal HR & OD Advisor, Human Resources & Organisational Development

Claire Leech, HR & OD Advisor, Human Resources & Organisational Development

Jan Hill, Service Manager, Economy

Recognised trades unions are being consulted.

Final approval for a revised redeployment policy will be via the Staffing Committee.

6. What is the aim of your strategy, policy, project or service?

To review the council's redeployment policy and procedure to ensure that it remains fit for purpose. To continue to meet our statutory requirements. To ensure that the process is efficient.

The redeployment policy and procedure is being reviewed alongside a review of the redundancy policy and procedure. The redeployment policy and procedure will reflect statutory requirements in respect of those at risk of redundancy.

The redeployment policy and procedure will take account of how redeployment can be applied as a reasonable adjustment under the Equality Act 2010.

The proposed new redeployment policy and procedure reflects feedback from council managers, following a SNAP survey sent to the 150 Group.

Appendix 4

The key changes:

Existing approach	Proposed approach
Vacancies are advertised only after a check of the redeployment register, held by the HR&OD Service. Vacancies may be held for up to one week if a potential match is identified on the register, whilst individuals are contacted to see if they are interested in applying.	All vacancies are advertised as they become available. Individuals have greater responsibility to identify potential matches.
A manual redeployment register operated by HR&OD and completion of a redeployment form.	Individuals apply for vacancies on-line at dorsetforyou.com, with the ability to identify themselves as 'eligible for prior consideration'.
Eligibility for redeployment is for 13 weeks, usually from the point of notice of dismissal	Flexible approach to enable a reduced redeployment period if appropriate to the circumstances. Opportunity for redeployment to be sought <i>before</i> notice of dismissal has been issued in appropriate circumstances
Limited specific guidance about medical redeployment.	Clarification of when redeployment is appropriate in relation to medical conditions.
Those employed on a fixed term contract of one year or more are eligible to receive 13 weeks on the redeployment register after one year's service, regardless of the reason for ending the contract.	If the reason for redeployment is <i>not</i> redundancy, prior consideration applies only during the notice period.

7. Who will it impact upon (For example, service users, visitors, staff members)

Staff members: those who are at risk of losing their job, predominately in a redundancy situation or for medical disability reasons covered by the Equality Act 2010.

Employees on a fixed term contract who may have a shorter period where they are eligible for redeployment than previously. A equalities profile report has been requested for FTCs to understand any potential issues.

Recruiting managers and redeployees: changes to the process in relation to redeployment.

8. Does or could the service, strategy, policy, project or change have an impact upon the following:

Protected characteristic	Positive impact	No impact	Unclear
Age	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Appendix 4

Disability	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Gender Reassignment	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Pregnancy and Maternity	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Race and Ethnicity	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Religion or Belief	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sex	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sexual Orientation	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Other socially excluded groups (Carers, rural isolation, low income, military status)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

The procedure specifically highlights consideration of reasonable adjustments for disabled employees at various stages. This will additionally be highlighted in accompanying guidance, particularly in relation to seeking suitable alternative employment for those at risk of redundancy. Examples will be included. Guidance for redeployees will include detail about using the council's e-recruit system as well as information about support for those who need it, for example employees with a visual impairment. Support will be available from the HR&OD Service and other support across the council will be identified and communicated e.g. the workforce support team in the Environment Directorate.

The procedure includes clarification of the process of when redeployment could be considered as a reasonable adjustment under the Equality Act 2010.

Where the policy and procedure has changed, this is largely to enable flexibility, recognising the range of circumstances in which an employee may be at risk of losing their job and when redeployment could apply.

This flexibility enables the procedure to be adapted as appropriate. For example, it supports the proposed revisions to the redundancy policy and procedure in enabling a wider search for redeployment earlier on in the redundancy procedure (for example this might apply if the individual is absent due to family leave).

Statutory responsibilities remain included. For redeployment, these are in relation to: seeking suitable alternative employment for those at risk of redundancy and considering reasonable adjustments for disabled employees.

No impact has been identified for the majority of groups.

9. Does this have any impact on the workforce in relation to the following:

Protected characteristic	Positive impact	No impact	Unclear
Age	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Appendix 4

Disability	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Gender Reassignment	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Pregnancy and Maternity	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Race	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Religion or Belief	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sex	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sexual Orientation	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other socially excluded groups (Carers, rural isolation, low income, military status)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

10. If your answers to Q3 and 4 are mostly ‘negative ‘or ‘unclear’, you need to consider a full EqIA. If you do not intend to carry out one, please explain why:

The policy and procedure has not changed significantly – all statutory responsibilities remain included. No impact has been identified for the majority of groups.

The SNAP survey revealed a number of positive experiences from managers who have appointed staff from the redeployment register. Communications about the new policy and procedure will reflect this and will promote redeployment.

Upon completion of this form, it must be sent to your Directorate Equality lead for approval.

Screening form approved by:

Date:

Personnel Appeals Committee

Terms of Reference:-

- (a) Except in the case of the Chief Executive, Assistant Chief Executive, Directors, Statutory Officers and Heads of Service the award of discretionary payments under various Local Government and pension scheme regulations which involve the early introduction of pension benefits, at a cost to the county council, for business reasons or on compassionate grounds. This includes benefits arising from retirements or redundancy.
- (b) In the case of discretionary payments awarded under Local Government Pension Scheme regulations, to take decisions in accordance with the county council's 'Statement of Policy on the Local Government Pension Scheme 2014 Discretions'.
- (c) To act as a pay board to hear and determine matters relating to labour market adjustments for additional increments or zonal pay;
- (d) To determine whether costs arising from the premature retirement and redundancy of a member of staff whose salary is charged to a school's delegated budget should be borne by a budget retained by the County Council or by the delegated budget of the school, except in the following circumstances:-
 - (a) when these costs arise from a change in the organisation of schools, including amalgamations and closures;
 - (b) when these costs will be funded from the budget for schools in financial difficulty, held within the school's budget.

In these two circumstances, responsibility for the determination is delegated to the Director for Children's Services.

Note:

- i. In the case of staff paid under School Teacher Scales or under related Scales, one non-voting teacher member, to be selected by the Director for Corporate Resources after consultation with the Director for Children's Services, shall be appointed for each meeting.
- ii. In cases of appeals against grading decisions the quorum for meeting shall be three members. Membership: 5 (not being members of the Cabinet) Reserve members for each political group represented on the Committee are also appointed to ensure that meetings can be arranged at short notice.