Item: 1

Human Resources Sub-committee: 3 November 2026.

Redeployment Policy.

Report by Director of Infrastructure and Organisational Development.

1. Overview

1.1. This report presents the updated Redeployment Policy, for approval.

1.2. The Council approved the Redeployment Policy on 12 July 2012. In the interim the policy has been reviewed to take account of statutory changes on several occasions under officer delegated authority, the last of these changes being in August 2025.

1.3. The revised Redeployment Policy is provided at Appendix 1.The revised policy aligns with legal requirements and best practice and aims to support managers in effectively managing redeployment of existing staff and complying with relevant employment law. Supporting operational procedures are attached as Appendix 2 for information and awareness only; formal approval is not required on these.

1.4. The Council is committed to being an outstanding employer and to ensuring it maintains supportive employment policies and procedures to assist individuals dealing with life situations as part of its overall approach to maintaining a skilled and experienced workforce.

1.5. The Council recognises the skills and commitment of its employees which it considers vital to the provision of quality services. Like many employers, the Council faces significant challenges in recruitment and significant financial pressures.

1.6. At this time, it is more important than ever that the Council looks to retain its existing workforce within the context of changing demands and needs. This places increased emphasis on workforce flexibility and highlights the necessity of supporting retraining and reskilling through redeployment.

2. Recommendations

2.1. It is recommended that members of the Sub-committee:

i. Approve the Redeployment Policy, attached as Appendix 1 to this report.

3. Policy Review

3.1. As part of the policy review process feedback from managers received by Human Resources has been considered and where possible included in the review, and formal engagement with the Corporate Leadership Team and Extended Corporate Leadership Team has been carried out.

3.2. Consultation with the recognised Council Trade Unisons has been carried out, with their feedback being reflected within the policy and procedures submitted. Their agreement to the revised policy has been received.

3.3. The revised Redeployment Policy strengthens alignment with Council policies and legal obligations, clarifies the circumstances in which redeployment applies, and introduces a more structured and transparent process. It provides clearer roles and responsibilities, modernises documentation, and moves the process onto existing digital systems.

3.4. The policy enhances fairness and consistency through defined search periods, improved skills matching, updated pay protection arrangements, and clearer guidance on trial periods.

3.5. These changes collectively support the Council's commitment to retaining employees wherever possible and ensuring redeployment is managed effectively and consistently across all Services.

3.6. In summary of the significant changes to the Redeployment Policy are:

i. **Policy Scope and Alignment:** Sets out clear circumstances where redeployment applies, ensuring consistency with Council policies and legal requirements, and distinguishing between Council wide and Service specific redeployment routes.
ii. **Roles, Responsibilities and Governance:** Provides clear expectations for employees, managers and HR, supported by streamlined procedures, flowcharts and guidance to ensure consistent application.
iii. **Redeployment Process and Duration:** Introduces a structured redeployment search period, strengthens the skills matching approach, and reinforces the priority of retaining existing employees before advertising externally.

iv. **Pay Protection:** Retains current pay protection timescales while moving to an allowance based model, with clearer criteria for when protection applies or ceases.

v. **Trial Periods:** Clarifies trial period arrangements, including funding responsibilities and the circumstances in which extended trials may be used.

vi. **Documentation and Systems:** Modernises redeployment documentation and transitions the process to online systems to improve efficiency and reduce reliance on paper.

3.7. Further detail of changes is provided in Appendix 3 to this report.

For Further Information please contact:
Andrew Groundwater, Head of Human Resources and Organisational Development, extension 2253, email: andrew.groundwater@orkney.gov.uk.

Implications of Report

1. **Financial:** There are no immediate financial implications arising from this report. Effective redeployment can help reduce recruitment and redundancy costs, retain organisational knowledge, avoid contentious employee disputes and make best use of available staffing resources. The policy includes provision for salary protection for up to 12 months and reimbursement of additional travel costs for up to three years in certain redeployment circumstances, which may result in additional costs in individual cases. Overall, these costs are expected to be mitigated by the benefits of retaining employees and reducing the need for external recruitment and other employment-related costs.
2. **Legal:** There are no significant legal implications arising directly from the recommendations contained in this report.
3. **Corporate Governance:** In accordance with the Scheme of Administration, the establishment and review of policies, procedures and strategies relating to the human resource requirements of the Council is a referred function of the Human Resources Sub-committee.
4. **Human Resources:** The Human Resource implications are outlined in the body of the report.
5. **Equalities:** An Equality Impact Assessment has been carried out and is attached as Appendix 4 to this report.
6. **Island Communities Impact:** As this policy is unlikely to have an effect on an island community which is significantly different from its effect on other communities (including other island communities) within Orkney, a full Island Communities Impact Assessment has not been undertaken.

7. **Links to Council Plan:** The proposals in this report support and contribute to improved outcomes for communities as outlined in the following Council Plan strategic priorities:
   ☐Growing our economy.
   ☐Strengthening our Communities.
   ☐Developing our Infrastructure.
   ☒Transforming our Council.
8. **Links to Local Outcomes Improvement Plan:** The proposals in this report support and contribute to improved outcomes for communities as outlined in the following Local Outcomes Improvement Plan priorities:
   ☐Cost of Living.
   ☐Sustainable Development.
   ☒Local Equality.
   ☐Improving Population Health.
9. **Environmental and Climate Risk:** Not applicable.
10. **Risk:** Not applicable.
11. **Procurement:** Not applicable.
12. **Health and Safety:** None arising directly from this report.
13. **Property and Assets:** Not applicable.
14. **Information Technology:** Not applicable.
15. **Cost of Living:** Not applicable.

List of Background Papers

Human Resources Sub-committee – 12 June 2012: Item 1.1 – Review of Redeployment Policy and Procedure.

Appendices

Appendix 1: Redeployment Policy.
Appendix 2: Redeployment Procedure.
Appendix 3: Changes to Redeployment Policy and Procedures.
Appendix 4: Equality Impact Assessment.

Appendix 1

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ISLANDS COUNCIL



Redeployment Policy

December 2026

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Document Control Sheet

Review / approval history.

Date.	Name.	Position.	Version Approved.
July 2012	Andrew Groundwater	Head of HR and OD	V1.0
April 2025	Andrew Groundwater	Head of HR and OD	V1.1
December 2026	Full Council	N/A	V1.2

Change Record Table.

Date.	Author.	Version.	Status.	Reason.
April 2025	Craig Walker	1.1	Agreed	Statutory update re special protection from redundancy.
August 2026	Craig Walker	1.2		Changes to policy and procedure to aim to increase levels of redeployment and to protect jobs.
Next due for review in 2031.				

Contents

1. Introduction 5
2. Aims 5
3. Scope 5
4. Council Wide Redeployment 6
4.1. Redundancy 6
4.2. Health Related Capability 6
4.3. Disability 6
4.4. Health and Safety 6
5. Service Specific Redeployment 7
5.1. Conduct (Discipline) 7
5.2. Capability (Performance) 7
5.3. Capability (Qualification) 7
5.4. Capability (Professional Registration) 7
5.5. Capability (Barred from a Regulated Role) 7
5.6. Bullying, Harassment and Discrimination 7
5.7. Grievance 8
5.8. Unpaid Carers 8
6. Multiple Redeployment Priorities 8
6.1. Statutory Special Protection from Redundancy 8
6.2. Employment impacted by Organisational Change and avoidance of Compulsory Redundancy 9
6.3. Health Related and Disability 9
6.4. Health and Safety Related 9
6.5. Service Specific Redeployments 9
7. When does the policy not apply. 9
8. Reasonable Adjustments 10
9. Representation 10
10. Identifying need for Redeployment 10
11. Maintaining Redeployment Register 10
12. Timescale 10
13. Skills Matching 11
13.1. Completion 11
13.2. Review 11
13.3. Escalation of Concern 11
13.4. Communication of the Skill Match outcome 11

13.5. Advertising of a post being considered for Skills Matching 12
14. Trial Period 12
15. Suitable Alternative Employment 12
16. Pay Protection 12
16.1. Period of Pay Protection 12
16.2. Method of Payment 13
16.3. Allowances and Pay Protection 13
16.3. Pay Protection for Teachers/other SNCT post holders 13
16.4. Ending of Pay Protection 13
16.5. When Pay Protection is not payable 13
17. Excess Travel Costs 14

1. Introduction

Orkney Islands Council is committed to being an outstanding employer and to supportive employment policies and procedures to assist individuals dealing with life situations and to maintain a skilled and experienced workforce.

The Council recognises the skills and commitment of its employees which it considers vital to the provision of quality services. Like many employers, the Council faces significant challenges in recruitment and significant financial pressures.

At this time, it is more important than ever that the Council looks to retain its existing workforce within the context of changing demands and needs. This places increased emphasis on workforce flexibility and highlights the necessity of supporting retraining and reskilling through redeployment.

The Council is committed to treating all employees fairly. Managers and staff will not discriminate, directly or indirectly, on grounds of race, religion or belief, sex, gender reassignment/ transgender identity, sexual orientation, marital status, disability, age, trade union membership and activity, and pregnancy and maternity.

2. Aims

The aims of the Redeployment Policy are to:

- Where possible protect ongoing employment where an employee is not able to continue in their existing post.
- Provide mechanisms where suitable alternative employment can be sought for an employee who is displaced from their current post in order, wherever possible, to retain the employee's experience and expertise within the Council.
- Ensure that a fair and consistent approach is adopted in the management of redeployment in similar circumstances.
- Maintain efficiency in the working environment.
- Ensure that all employees remain valued and recognise their contribution to the Council.
- Provide effective support to employees in a redeployment situation.
- Ensure that all relevant legal obligations are met.

The effectiveness of this policy and its procedures is therefore dependent on the full co-operation and commitment of employees and managers to the process.

3. Scope

This policy and relevant supporting procedures and guidance will apply to redeployment activity in relation to the following groups of employees:

- Scottish Joint Negotiating Council for Chief Officials (Chief Executive, Directors, and Heads of Service).
- Scottish Joint Council for Local Government Employees (SJC).
- UHI Orkney Academic staff employed by Orkney Islands Council under National Joint Negotiating Committee for Scottish Colleges Conditions of Service.
- Orkney Ferries Limited shore-based staff, employed by Orkney Islands Council.

In respect of Teachers and other posts covered under SNCT, the specific arrangements where moving within SNCT posts are covered under the SNCT handbook, the provisions of this policy would apply where a Teacher/other Educational Professional opts to accept redeployment to a post within the Council out with SNCT conditions of service.

4. Council Wide Redeployment

4.1. Redundancy

The changing needs of the Council may require organisational change, which may affect the numbers and types of posts required and thus impact on employees either on an individual or group basis.

4.2. Health Related Capability

There may be occasions when it is identified that an employee is no longer able to perform their existing duties due to health issues.

4.3. Disability

As a Disability Confident Employer, we are dedicated to supporting our employees in managing their disabilities or long-term health conditions. This commitment includes ensuring that, if an individual acquires a disability or if the existing disability or health condition worsens, we will make every effort to enable you to continue in the current role or find an alternative position that suits their needs.

4.4. Health and Safety

Employees can be redeployed to safeguard the health and safety of themselves or others including situations of domestic violence. This can be requested by employees or decided by managers.

Redeployment on grounds of health and safety will normally result from a risk assessment. The assessment will include consideration of other reasonable adjustments with redeployment being a last resort.

5. Service Specific Redeployment

5.1. Conduct (Discipline)

The need to redeploy an employee may be identified as an outcome of a disciplinary hearing. This is usually restricted to circumstances where redeployment is determined as an alternative to dismissal, for example, where it is felt that keeping the employee within their existing post would affect operational effectiveness or that it could be detrimental to the individual or other employees.

5.2. Capability (Performance) (Teachers have separate SNCT provisions)

Where an individual, despite all reasonable support, guidance and training is unable to undertake the duties and responsibilities of their role on a continuing basis to the minimum acceptable standard.

5.3. Capability (Qualification)

Where an individual has failed to achieve a specific qualification or aspect of training which is a requirement of the role, within a specified timescale, where this was a condition of their employment.

5.4. Capability (Professional Registration)

Where an employee is either contractually or legally required to achieve, hold and/or maintain a relevant professional registration and they have either failed to achieve withing the specified timescale, failed to maintain the registration or have been removed from the register by the professional body.

5.5. Capability (Barred from a Regulated Role)

Where an individual carryout out a regulated role and legally must hold PVG scheme membership is subsequently barred from undertaking the regulated role.

5.6. Bullying, Harassment and Discrimination

As a result of a dignity at work complaint, consideration may be given to possible redeployment at the request of or with the agreement of the complainant, if it is agreed that redeployment is a practical outcome.

Equally a decision may need to be considered in relation to the redeployment of the party against which the complaint has been made. It should be noted that where a dignity at work complaint is upheld, it may be that the matter is referred to a disciplinary hearing, the possible outcome of which may be transfer of an individual to another role or work location.

It is, however, also a potential decision that in order to continue to see smooth and efficient operation of Council Services and maintaining appropriate work relationships that a Head of Service or Director may determine it is necessary to transfer an employee to another work location within the same service.

5.7. Grievance

As a result of a grievance, consideration may be given as part of the resolution to redeployment at the request of or with the agreement of the aggrieved person, if it is agreed that redeployment is a practical outcome.

Employees are protected from victimisation for raising a grievance and consideration will be given to the appropriateness of redeployment (temporary or permanent) as a remedy.

Equally a decision may need to be considered in relation to the redeployment of the party against which the grievance has been made. It should be noted that where a grievance is upheld, it may be that the matter is referred to a disciplinary hearing, the possible outcome of which may be transfer of an individual to another role or work location.

It is however also a potential decision that in order to continue to see smooth and efficient operation of Council Services and maintaining appropriate work relationships that a Head of Service or Director may determine it is necessary to transfer an employee to another work location within the same service.

5.8. Unpaid Carers

As part of the Council's commitment to support unpaid carers, where a Council employee who has unpaid caring responsibilities have had a flexible working request unable to be supported due to the nature of their post, the Council will look to provide support the individual with tier unpaid caring responsibility through being placed on the Council Redeployment list for a maximum period of twelve weeks, so look to see if a more suitable opportunity arises.

6. Multiple Redeployment Priorities

There will at times be circumstances where there may be more than one call on a specific post under redeployment. In these circumstances it is important that the Council has a clearly established priority hierarchy to ensure an approach that is legally compliant, as fair as possible and avoids confusion and complaint/grievance. The order that redeployments will be prioritised are:

6.1. Statutory Special Protection from Redundancy

Any employee that:

- Is pregnant.
- Has recently returned from maternity leave.
- Has miscarried within the first 24 weeks of pregnancy.
- Is taking adoption leave.
- Is taking shared parental leave.
- Has a statutory protection, where there is suitable alternative employment available that they be offered this as a priority, even over other employees who may be in a redundancy situation or have contractual entitlement to redeployment or under conditions of service there is a right to transfer to permanent employment.

Failure to apply this protection may result in an automatic unfair discrimination situation.

6.2. Employment impacted by Organisational Change and avoidance of Compulsory Redundancy

The Council has a legal duty to seek alternative employment to avoid redundancy and has a policy commitment to look to take all reasonable steps to avoid compulsory redundancy and to protect employment of existing staff where through no fault of their own their post is at risk of possible redundancy through organisational change initiated by the Council.

6.3. Health Related and Disability

The Council has a legal obligation to make reasonable adjustments for any employee with a disability to where reasonably possible maintain employment and/or a policy commitment to where reasonably possible support individuals that through no fault of their own have health/illness significantly impacting on their ability to carry out their roles.

6.4. Health and Safety Related

The other circumstances which the Council has committed to seem a Council wide redeployment search are largely areas where through no individual fault

6.5. Service Specific Redeployments

Predominantly service specific redeployments are often convenient resolutions to difficult interpersonal relationship issues of instances that have arisen due to or as a consequence of an individual own actions/in actions.

These whilst often important and necessary are not considered to be of an equivalent priority.

7. When does the policy not apply.

The Redeployment Policy does not cover the following:

- Enabling employees to move on a voluntary basis/transfer out with the normal Council Recruitment and Selection procedures. Employees wishing to transfer or move posts for personal reasons must follow the normal recruitment and selection policies and procedures.
- Employees wishing or needing temporary moves from their substantive post, returning to it at a later date. This is covered via the normal recruitment process and seeking agreement to a secondment to the new temporary post.

8. Reasonable Adjustments

The Council is committed to making reasonable adjustments for applicants with a disability through redeployment in the same way as though an individual had been recruited to the post.

The line manager for the post being considered for redeployment, supported by Human Resources as the redeployment co-ordinator is responsible ensuring that reasonable adjustments in the redeployment process are considered and implemented.

Advice and guidance is available on making reasonable adjustments is available from Human Resources.

9. Representation

An employee has a right to be accompanied to any redeployment meeting, by either a Trade Union Representative or a work colleague. Normally that will be an individual of their choice unless that would unreasonably delay the process.

10. Identifying need for Redeployment

It will normally be the line manager who identifies the need for redeployment after appropriate consultation with the employee.

Human Resources will provide advice, guidance and support to the line manager in respect of possible redeployment.

11. Maintaining Redeployment Register

The HR Adviser team will ensure that the Council redeployment register is maintained accurately on a timely basis.

12. Timescale

For any Council wide redeployment search is normally 12 weeks, which aligns to the maximum notice period required for any employee. In exceptional circumstances i.e. where an employee has off sick for a substantive period of the redeployment trial, it may be possible to extend a period of redeployment search, but the maximum period considered reasonable shall be 24 weeks.

13. Skills Matching

13.1. Completion

The process of skills matching for Council wide redeployment searches, will be carried out by the Line Manager for the post that is being considered for redeployment.

Skills matching is carried out against the must have criteria on the job profile (formerly essential criteria as per the person specification).

A skills match is defined as where an individual's skills, knowledge and experience as defined in the redeployment profile meet the majority of the 'must haves' as defined in the job profile.

Where there is a skills match there is a presumption that a redeployment trial will be offered and that following the trial the individual will be successfully redeployed into the post on a permanent basis.

Where a post is identified as a skills match by HR advertising for the post will not be able to be progressed.

The manager must provide documented evidence of the skills match, including specific detailed reason for any 'must have criteria' they considered to be not a skills match by submitting a completed Skill Match profile to hradviser@orkney.gov.uk.

Advice, guidance and support is available from Human Resources.

13.2. Review

Human Resources will carry out a review of the skill match profile to ensure that the process has been fairly and consistently applied and that appropriate justification has been given in respect of any criteria assessed as not a skills match.

13.3. Escalation of Concern

Where a matter of possible risk/concern is identified in the skill matching i.e. where it is considered that a potential unjust or reasonable decision has been made in the skills matching process, or where no clear evidence to support a trial being not being offered. This is not an exhaustive list.

The Head of Service will normally have the final say, except in the circumstances of potential significant risk to the Council in these circumstances the case will be escalated to the Head of Human Resources and Organisational development as well.

13.4. Communication of the Skill Match outcome

Where a post is determined as not appropriate for a redeployment trial, the individual on the redeployment register will be sent the skills match outcome completed by the manager, so they are clear as to why a redeployment trial was not able to be taken forward.

13.5. Advertising of a post being considered for Skills Matching

Any post will be unable to be advertised or filled on anything other than a casual/relief/supply basis until the conclusion of the skill matching process, including any review and escalation.

14. Trial Period

Any Council wide redeployment will have a minimum trial period of 4 weeks and a maximum trial period of 12 weeks. Only with the agreement of Human Resources can a trial period be extended beyond 12 weeks, in very exceptional circumstances.

The normal expectation is that a 4-week trial should be sufficient, as the individual already has a skills match against the majority of the essential criteria form person specification or the 'must have skills and requirements' as defined in the job profile.

15. Suitable Alternative Employment

Suitable alternative employment is regarded as vacant posts, on the service establishment, arising of the same or similar grade to that already held by the employee for which the employee has a reasonable skills match.

A 'suitable alternative' post is one which is appropriate for the employee taking into account:

- The similarity of responsibilities between the current post and the alternative post the he employee's training, qualifications, skills, experience and capabilities and their ability to undertake the alternative post.
- The grade of the current post.
- The hours of work.
- Travel requirements of the job.
- Travel between home and base.
- Personal circumstances i.e. childcare/care for dependants.
- Although the aim is for a 'suitable alternative' post to be similar to the current post, there is no guarantee that an exact match will be available.

16. Pay Protection

For Council wide redeployment searches for redundancy, health, disability, health, and safety, pay protection is available where the redeployment is to a post at a lower grade and there is a drop in annual salary earnings including allowances.

16.1. Period of Pay Protection

Pay protection is paid for a maximum period of 12 months and is subject to deductions for income tax, national insurance, and pension.

16.2. Method of Payment

Pay protection is paid as a separate allowance rather, rather than an individual continuing to be paid at their former grade.

16.3. Allowances and Pay Protection

The following allowances will be taken into consideration when calculating annual earnings for the purposes of pay protection calculations.

- Distant Islands Allowance.
- Unsocial Hours Shift Allowance.
- Weekend Allowance.
- Night Working Allowance.
- Sleep In.
- Standby.

The average monthly allowance earnings shall be calculated by taking the average earnings of the last 2 financial year. Should there not be two financial years records, the average will be calculated on the basis of the number of weeks during which the allowances were payable within that time.

Allowance earnings in the new post, shall equally be taken into account in calculating salary protection. In that the total earnings in the new post shall be the actual basic salary plus any of the allowances withing scope can be accurately calculated i.e. it is straight forward to calculate the 33%-night working allowance on earnings for a night worker post and the number of sleep in or Standby payments can be accurately accounted for by the rota.

16.3. Pay Protection for Teachers/other SNCT post holders

For Teaching and SNCT posts, should redeployment be under once of the Council wide provisions and this is to another SNCT post, pay protection would be in line with the provisions of the SNCT handbook. Should redeployment on a Council wide basis be to a non-SNCT post pay protection arrangements would be in line with those outlined above.

16.4. Ending of Pay Protection

Pay protection will end when either of the following are met:

- After having been in the redeployed post for twelve months.
- Where the basic salary and relevant allowances that is earned in a redeployed post increases to equal or overtake that of the average earnings received in the previous post.
- Where an individual resigns or leaves the post that they were redeployed to.

16.5. When Pay Protection is not payable

Pay protection is <u>not</u> payable in the any of the following circumstances:

- In any redeployment situation where there is no drop in annual earnings (including allowances).

- Where redeployment is on the basis of either Capability (Performance, Qualification, Professional Registration or Barred from Regulated Role).
- Where redeployment follows a finding in respect of the conduct, behaviour or performance in the job of an employee through disciplinary, grievance, bullying harassment and discrimination and they are redeployed.
- Where redeployment is agreed as a practical resolution for a complainant though grievance or bullying harassment and discrimination, redeployment to a lower graded post will not be considered.
- Where redeployment is on the basis of a request from an Unpaid Carer, as posts at a lower grade will not be considered.
- Where in redeployment where pay protection would apply, an individual has been offered and unreasonably declined redeployment to a post which would have meant pay protection would not have been necessary.

17. Excess Travel Costs

Where, as a result of any Council wide redeployment (excluding Unpaid carers), an employee is eligible to claim excess travel costs, where the following criteria are satisfied:

- Their normal place of work has been changed by the Council.
- This change must be permanent change.
- The normal home to work, daily travel (home to work at start of day and work to home at end of day, no mileage is eligible for inclusion for any travel between work and home during the working day i.e. lunch or rest breaks) must have increased by over 5 miles each day.

Where excess travel is payable, it is payable for a maximum period of 3 years.

Payment of excess travel shall be at either the standard normal mileage rate within the relevant Council terms and conditions of employment or where public transport is used, the difference in costs will be paid upon production of relevant receipts.

Where HMRC rules require that excess travel costs be subject to deductions for income tax and national insurance this will occur.

Where an employee has a normal pattern of working including working from home, this must be factored into the work out and any claim for additional travel costs.

- Unless an employee has a formal amendment to their contract to include home working, their normal base of work remains that as advised on their contract and for the purposes of calculating excess travel costs it will continue to be calculated on the basis that they travel to and from their original, normal place of work on each working day.
- In calculating any future excess mileage where there is a pattern of regular home working excess travel costs cannot be claimed for any regular day of home working as there are no additional costs incurred.

An employee's original employing service will be responsible for the cost associated with any additional travel costs related to redeployment.

There is no specific appeal process within the redeployment policy. Individuals do have access to either the specific appeal processes within other relevant policies i.e. disciplinary appeal where the redeployment is as a result of disciplinary process, appeal to Staff Appeals Sub-committee where employment is terminated or have access to the Grievance Policy and Procedure where there is no relevant policy specific appeal route.

It is not competent to raise both an appeal under the relevant policy and a grievance in relation to redeployment.

Appendix 2

ORKNEY
ISLANDS COUNCIL



Redeployment Procedure
December 2026

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Document Control Sheet.

Review / approval history.

Date.	Name.	Position.	Version Approved.
July 2012	Andrew Groundwater	Head of HR and OD	V1.0
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Contents

1. Council Wide Redeployment Flowchart 6
2. Service Specific Redeployment Flowchart 9
3. When does the policy apply. 10
3.1. Redundancy. 10
3.1.1. Special Protection from Redundancy 10
3.2. Health Related Capability 10
3.3. Disability. 10
3.4. Health and Safety 11
3.5. Conduct (Discipline). 11
3.6. Capability (Performance) 12
3.7. Capability (Qualification). 12
3.8. Capability (Professional Registration). 12
3.9. Capability (Barred from a Regulated Role). 12
3.10. Bullying, Harassment and Victimisation. 12
3.11. Grievance 13
3.12. Unpaid Carers. 13
4. When does the policy not apply. 14
5. Responsibilities 14
5.1. Chief Officers (Directors and Heads of Service) 14
5.2. Employee on Redeployment Register 14
5.3. Line Managers (of employees in redeployment process). 15
5.4. Recruiting managers will 15
5.5. Human Resources 16
6. Procedure 16
6.1. Identifying need for Redeployment 16
6.2. Scope of Search – Service or Council Wide. 17
6.3. Completing the Redeployment Profile 17
6.4. Redeployment Register 18
6.5. Redeployment Search Timescale 18
6.6. Identifying possible redeployment opportunities 19
6.7. Redeployment to temporary vacancies 19
6.8. Priority Discussion 20
6.9. Skills matching 21
6.10. Multiple Redeployment Candidates 21
6.11. Suitable Alternative Employment 22

6.12. Declining the offer of a Redeployment Trial 23
7. Trial Period 24
7.1. Trial Period Duration 24
7.2. Trial Period Review Meetings 24
7.3. Final Trial Period Review Meeting....25
7.4. Declining a Redeployment Trial or offer of Redeployment 25
8. Successful Redeployment 26
9. Unsuccessful Redeployment 26
9.1. Time remaining on the redeployment search 26
9.2. Redeployment search time has concluded 26
10. Pay Protection 27
10.1. How does pay protection work? 27
10.2. Allowances and Pay Protection....28
10.3. Pay Awards/Incremental Progression and Pay Protection 28
10.4. Split/Career Graded Posts and Pay Protection 28
10.5. Change of Grade for Post and Pay Protection 28
10.6. Changes of contracted hours and Pay Protection 29
10.7. Ending of Pay Protection....29
10.8. When Pay Protection is not payable 29
11. Excess Travel Costs 29
12. Reasonable and Unreasonable Refusal. 31
13. Appeals....31
Appendix 1 - Redeployment Profile. 32
Appendix 2 - Skills Match Record 39
Appendix 3 - Priority Discussion Record 45
Appendix 4 - Trial Period Review Record 47
Appendix 5 - Trial Period Final Review Record....49
Appendix 6 – Pay Protection Examples 51
Appendix 7 – Redeployment Priority Discussion Guidance. 53
Appendix 8 - Redeployment Profile Guidance for Individuals. 54
Appendix 9 - Trial Period Review Meeting Guidance. 55

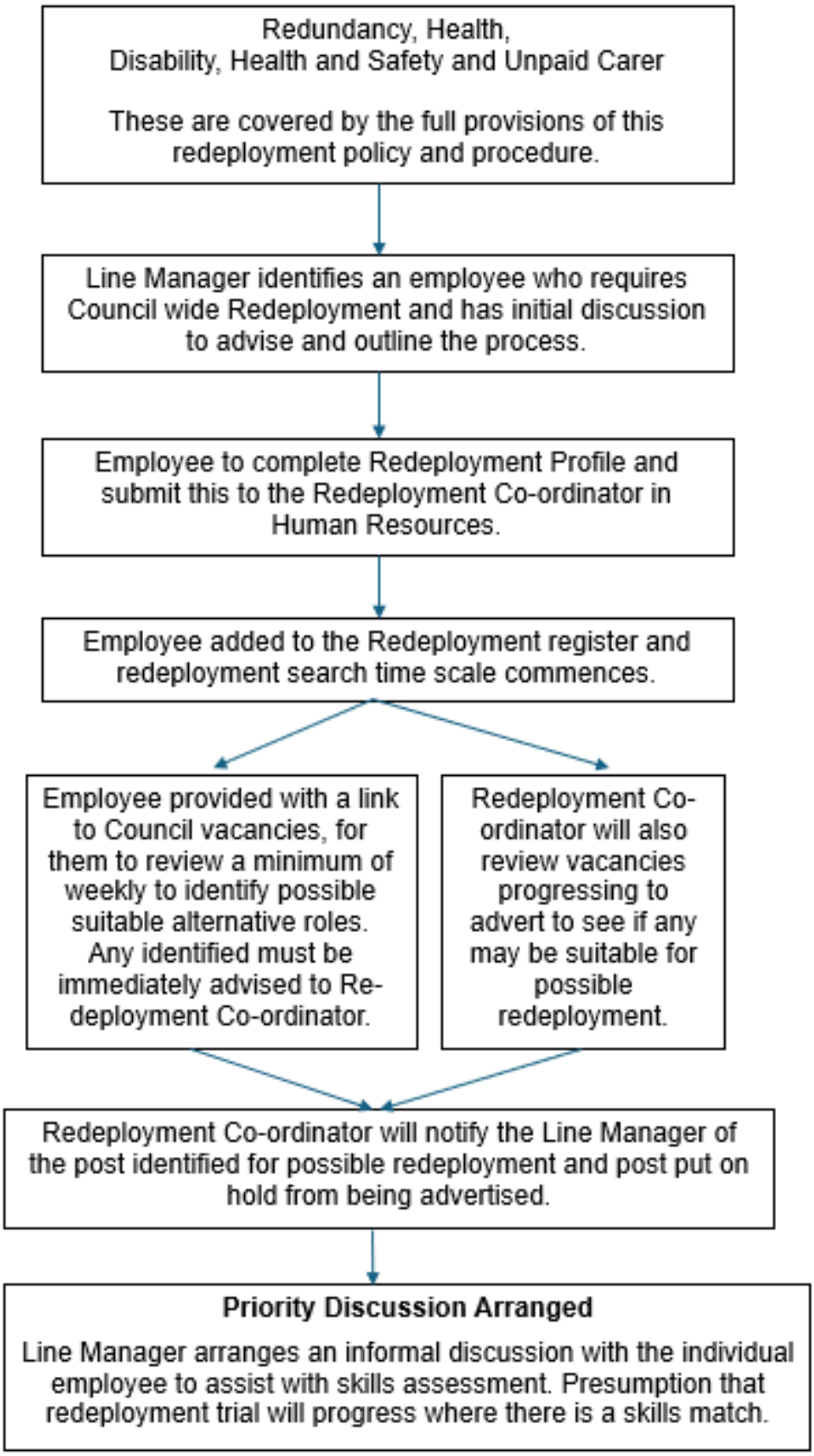
Procedures and Guidance

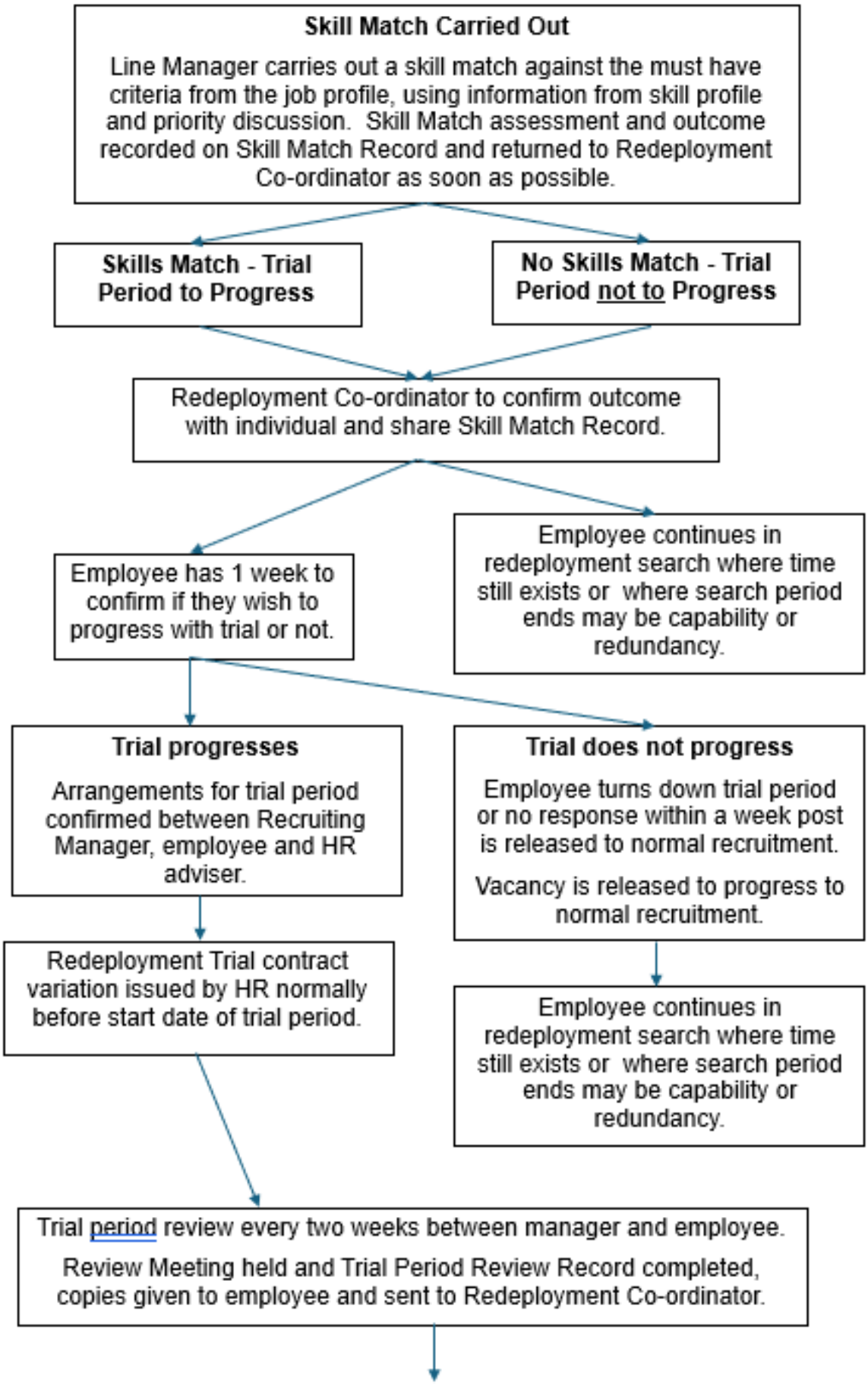
This document and the redeployment procedures and guidance detailed in it sit separately to the Council Redeployment Policy.

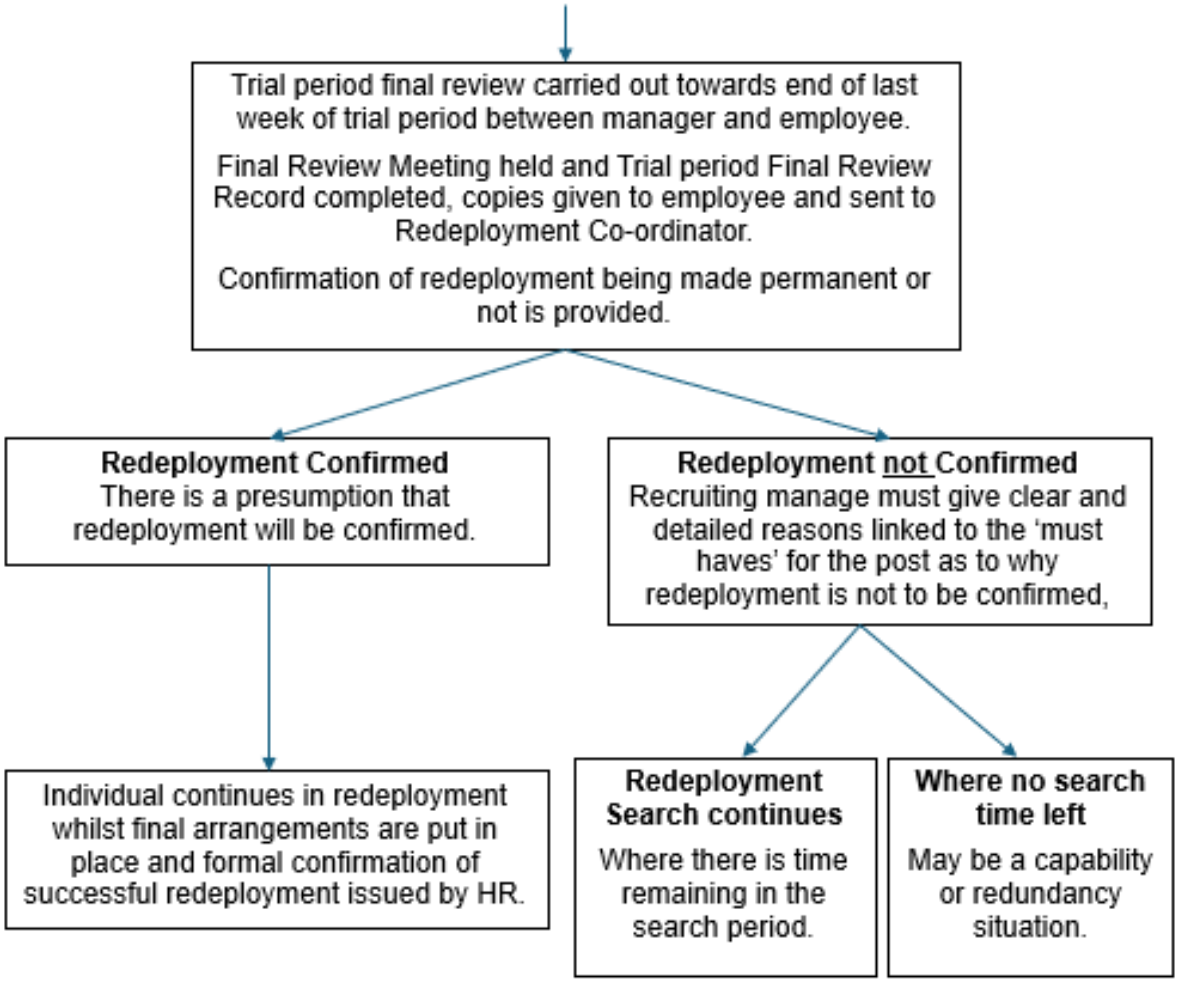
As such this procedure and associated guidance and any future amendments do not require formal governance approval by Elected Members nor are they subject to formal collective bargaining via the recognised Trade Unions.

The Council remains committed to co-operative working with the recognised Trade Unions and will engage with them on any significant changes to redeployment procedure.

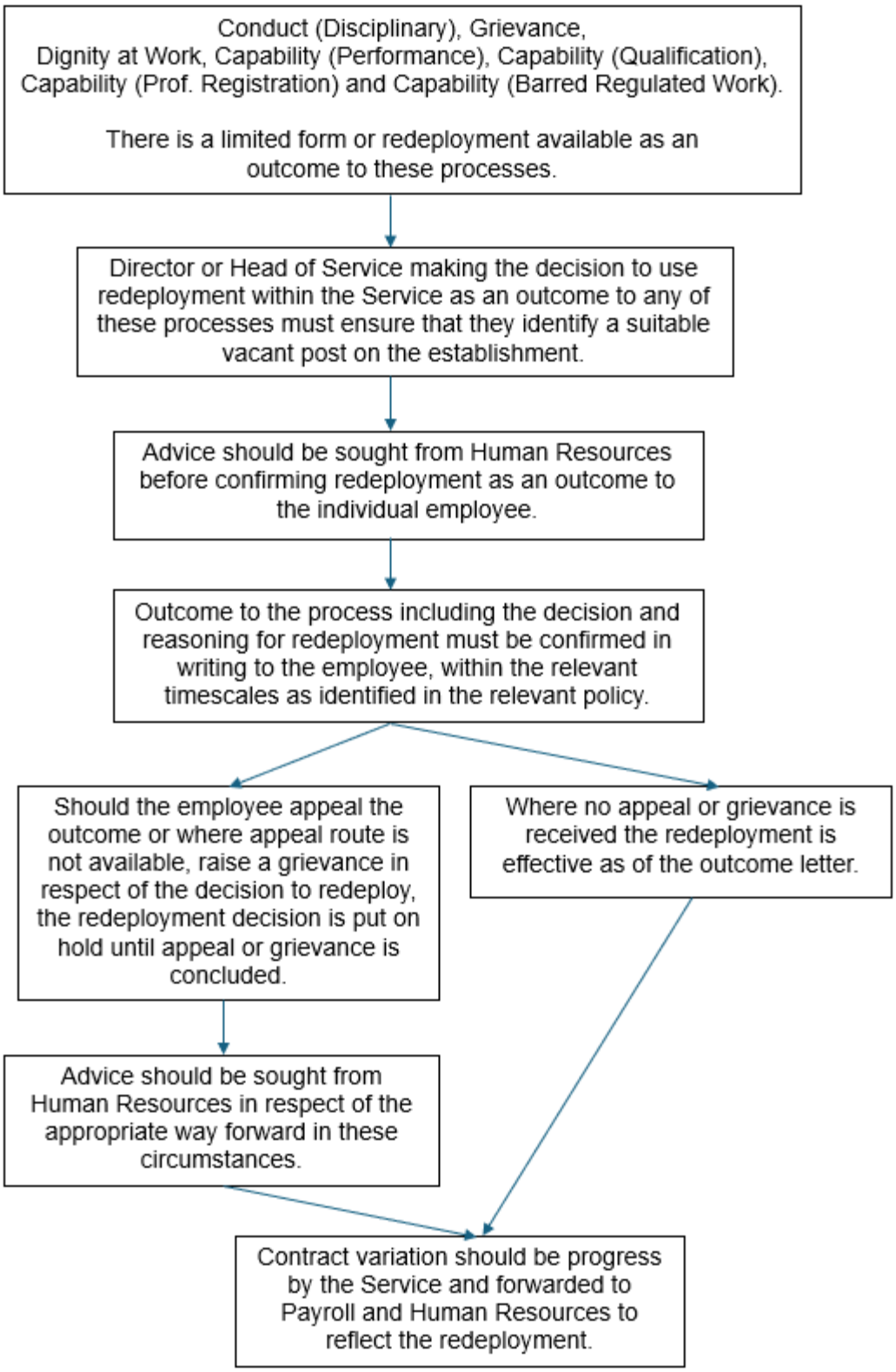
1. Council Wide Redeployment Flowchart




Skill Match Carried Out
Line Manager carries out a skill match against the must have criteria from the job profile, using information from skill profile and priority discussion. Skill Match assessment and outcome recorded on Skill Match Record and returned to Redeployment Co-ordinator as soon as possible.
Skills Match - Trial Period to Progress
No Skills Match - Trial Period not to Progress
Redeployment Co-ordinator to confirm outcome with individual and share Skill Match Record.
Employee has 1 week to confirm if they wish to progress with trial or not.
Employee continues in redeployment search where time still exists or where search period ends may be capability or redundancy.
Trial progresses
Arrangements for trial period confirmed between Recruiting Manager, employee and HR adviser.
Trial does not progress
Employee turns down trial period or no response within a week post is released to normal recruitment.
Vacancy is released to progress to normal recruitment.
Redeployment Trial contract variation issued by HR normally before start date of trial period.
Employee continues in redeployment search where time still exists or where search period ends may be capability or redundancy.
Trial period review every two weeks between manager and employee.
Review Meeting held and Trial Period Review Record completed, copies given to employee and sent to Redeployment Co-ordinator.


Trial period final review carried out towards end of last week of trial period between manager and employee.
Final Review Meeting held and Trial period Final Review Record completed, copies given to employee and sent to Redeployment Co-ordinator.
Confirmation of redeployment being made permanent or not is provided.
Redeployment Confirmed
There is a presumption that redeployment will be confirmed.
Redeployment not Confirmed
Recruiting manage must give clear and detailed reasons linked to the 'must haves' for the post as to why redeployment is not to be confirmed,
Individual continues in redeployment whilst final arrangements are put in place and formal confirmation of successful redeployment issued by HR.
Redeployment Search continues
Where there is time remaining in the search period.
Where no search time left
May be a capability or redundancy situation.

2. Service Specific Redeployment Flowchart



3. When does the policy apply.

This policy and procedure deals with redeployment situations arising from:

3.1. Redundancy.

The changing needs of the Council may require organisational change, which may affect the numbers and types of posts required and thus impact on employees either on an individual or group basis.

Organisational changes may include, for example: closure, transfer or restructuring of a specific service or facility; a response to statutory requirements; or process improvement and modernisation. Where a change leads to posts being made redundant, there is a statutory requirement for the Council to consider redeployment of affected employees to suitable alternative posts.

3.1.1. Special Protection from Redundancy

In any potential redundancy situation, where suitable alternative employment is being sought as an alternative to redundancy via redeployment, pregnant employees, employees that have recently returned from maternity leave, employees who have miscarried within the first 24 weeks of pregnancy, employees taking adoption leave and employees taking shared parental leave have a statutory right to a higher degree of protection from redundancy.

This statutory protection requires that where there is suitable alternative employment available they be offered this as a priority, even over other employees who may be in a redundancy situation or have contractual entitlement to redeployment or under conditions of service there is a right to transfer to permanent employment.

Failure to apply this protection may result in an automatic unfair discrimination situation.

Managers are strongly advised to seek advice and guidance from Human Resources and should refer to the Council Policy on Statutory Redundancy Protection for Pregnancy and New Parents. This policy is available on MyView under Useful HR Information or from Human Resources.

3.2. Health Related Capability.

There may be occasions when it is identified that an employee is no longer able to perform their existing duties due to health issues.

In such cases Occupational Health will be asked to provide medical guidance in respect of the employee's ability to work in their existing post and any alternative post which is identified as being potentially suitable.

3.3. Disability.

As a Disability Confident Employer, we are committed to supporting our employees in managing their disabilities or long-term health conditions.

This commitment includes ensuring that, if you acquire a disability or if your existing disability or health condition worsens, we will make every effort to enable you to continue in your current role or find an alternative position that suits your needs.

Please ensure that you have considered all reasonable adjustments to the substantive post, in line with the Council Reasonable Adjustments Guidance, before considering redeployment.

3.4. Health and Safety.

Employees can be redeployed to safeguard the health and safety of themselves or others including situations of domestic violence. This can be requested by employees or decided by managers.

Redeployment on grounds of health and safety will normally result from a risk assessment. The assessment will include consideration of reasonable adjustments or temporary (paid) special leave from work.

In accordance with employers' legal obligations, all posts should be risk assessed. The assessment must identify any risks to employees who are pregnant or a new mother (i.e. within 6 months of childbirth or still breastfeeding). As soon as an employee has confirmed in writing that they are pregnant or a new mother a risk assessment must be undertaken if one has not already been completed. Pregnant employees and new mothers can also request alternative work where there are risks to the health of the mother and/or the baby.

If a post is identified as carrying a risk to the employee or their child, they will be notified immediately, and arrangements made to minimise the risk or remove them from these risks. Consideration will be given to alternatives.

This may mean that working conditions are altered or that they are offered another suitable job. If neither of these options is possible during their pregnancy, the Council may require the employee to remain at home on full pay until they are no longer at risk or until their maternity leave starts.

3.5. Conduct (Discipline).

The need to redeploy an employee may be identified as an outcome of a disciplinary hearing. This is usually restricted to circumstances where redeployment is determined as an alternative to dismissal, for example, where it is felt that keeping the employee within their existing post would affect operational effectiveness or that it could be detrimental to the individual or other employees.

Temporary alternative duties or adjustment to duties during a disciplinary process. This is a matter for the Commissioning Officer to consider in conjunction with support from Human Resources.

The formal provisions of redeployment would not apply to short-term, temporary adjustments to work that may need to be considered as part of the effective management of conduct issue/disciplinary process.

3.6. Capability (Performance) - (Teachers have separate SNCT provisions).

Where an individual, despite all reasonable support, guidance and training is unable to undertake the duties and responsibilities of their role on a continuing basis to the minimum acceptable standard.

3.7. Capability (Qualification).

Where an individual has failed to achieve a specific qualification or aspect of training which is a requirement of the role, within a specified timescale, where this was a condition of their employment.

3.8. Capability (Professional Registration).

Where an employee is either contractually or legally required to achieve, hold and/or maintain a relevant professional registration and they have either failed to achieve withing the specified timescale, failed to maintain the registration or have been removed from the register by the professional body.

3.9. Capability (Barred from a Regulated Role).

Where an individual carryout out a regulated role and legally must hold PVG scheme membership is subsequently barred from undertaking the regulated role.

3.10. Bullying, Harassment and Victimisation.

The formal provisions of redeployment would not apply to short-term, temporary adjustments to work that may need to be considered as part of the effective management of any dignity at work process.

As a result of a dignity at work complaint, consideration may be given to possible redeployment at the request of or with the agreement of the complainant, if it is agreed that redeployment is a practical outcome.

Equally a decision may need to be considered in relation to the redeployment of the party against which the complaint has been made. It should be noted that where a dignity at work complaint is upheld, it may be that the matter is referred to a disciplinary hearing, the possible outcome of which may be transfer of an individual to another role or work location.

It is however also a potential decision that in order to continue to see smooth and efficient operation of Council Services and maintaining appropriate work relationships that a Head of Service or Director may determine it is necessary to transfer an employee to another work location within the same service. This is not a punitive or disciplinary sanction and will wherever possible be done through discussion and agreement. In such circumstances the employee transferred would be eligible for payment of excess travel costs for a period of up to 3 years.

3.11. Grievance.

The formal provisions of redeployment would not apply to short-term, temporary adjustments to work that may need to be considered as part of the effective management of any grievance process.

As a result of a grievance, consideration may be given as part of the resolution to redeployment at the request of or with the agreement of the aggrieved person, if it is agreed that redeployment is a practical outcome.

Employees are protected from victimisation for raising a grievance and consideration will be given to the appropriateness of redeployment (temporary or permanent) as a remedy.

Equally a decision may need to be considered in relation to the redeployment of the party against which the grievance has been made. It should be noted that where a grievance is upheld, it may be that the matter is referred to a disciplinary hearing, the possible outcome of which may be transfer of an individual to another role or work location.

It is however also a potential decision that in order to continue to see smooth and efficient operation of Council Services and maintaining appropriate work relationships that a Head of Service or Director may determine it is necessary to transfer an employee to another work location within the same service. This is not a punitive or disciplinary sanction and will wherever possible be done through discussion and agreement. In such circumstances the employee transferred would be eligible for payment of excess travel costs for a period of up to 3 years.

3.12. Unpaid Carers.

As part of the Council's commitment to support unpaid carers, where a Council employee who has unpaid caring responsibilities, have had a flexible working request unable to be supported due to the nature of their post the Council will look to provide support the individual with tier unpaid caring responsibility through being placed on the Council Redeployment list for a maximum period of twelve weeks, so look to see if a more suitable opportunity arises.

The following provisions will apply to redeployment consideration for unpaid carers:

- Only 1 period of redeployment search link to unpaid caring responsibility within a 2-year period is permitted.
- Where redeployment it to a temporary post, this will not be approved on a secondment basis, the individual would not normally have any link to automatically return to that post.
- Redeployment will not qualify for payment of any excess travel costs.
- Redeployment will not qualify for pay protection.
- All other normal rules relating to redeployment will apply.

4. When does the policy not apply.

The Redeployment Policy does not cover the following:

- Enabling employees to move on a voluntary basis/transfer out with the normal Council Recruitment and Selection procedures. Employees wishing to transfer or move posts for personal reasons must follow the normal recruitment and selection policies and procedures.
- Employees wishing or needing temporary moves from their substantive post, returning to it at a later date. This is covered via the normal recruitment process and seeking agreement to a secondment to the new temporary post.

5. Responsibilities

5.1. Chief Officers (Directors and Heads of Service)

Chief Officers are responsible for ensuring that redeployment which takes place is authorised, that it takes place in line with this policy, and supporting procedures and guidance, and that officers taking part in redeployment decisions undertake designated training.

5.2. Employee on Redeployment Register

An individual on the redeployment register is expected to:

- comply with the terms of the policy and procedure and work proactively in securing an alternative post.
- fully engage in the redeployment procedure.
- attend any relevant meetings/discussions with line managers, recruiting managers and HR.
- be flexible regarding their working arrangements, to meet the operational needs of alternative posts identified (for example, hours of work), within the scope of their personal circumstances and commitments outside the Council.
- promptly complete redeployment profile giving contact details and details of all skills, knowledge and experience and preferences in respect of location, hours, shift patterns, etc.
- accept any reasonable suggestions of suitable alternative posts.
- attend priority discussions where potential matches are identified.
- accept any reasonable offers of alternative employment.
- undertake trial periods where appropriate.
- undertake any training that may be required for the new post.
- Respond quickly to all redeployment related communication.

5.3. Line Managers (of employees in redeployment process).

Line Managers will:

- consult appropriately with any employee facing redeployment, advising of training opportunities that may be available.
- advise the employee of the possible outcome (including termination of contract, if appropriate) if a suitable alternative post is not secured within a reasonable timescale. This timescale will not normally exceed 12 weeks.
- support the employee in promptly completing the redeployment profile.
- release employee from their role to attend redeployment meetings and discussions.
- ensure the employee has access to published vacancies.
- Have more frequent updates/contract with the employee facing redeployment.
- maintain confidentiality.
- treat employees with sensitivity, dignity, and respect.

5.4. Recruiting managers will

- carry out skills assessments for possible redeployments to their vacant posts, in line with the must have requirements of the job profile, on a fair and equitable basis, making reasonable adjustments in respect of disability.
- positively accept redeployment trials and redeployments for any vacant post identified as a skills match.
- not seek to advertise vacancies identified as skill matches for redeployment.
- consider any reasonable adjustments including training.
- Hold regular review meeting during a redeployment trial, a minimum of every 2 weeks, ensuring that they comply with the requirements of the policy.
- conduct final review meeting before the end of the last week of the redeployment trial and discuss the outcome with HR before advising the employee.
- ensure that the standard for comparison in evaluation of a redeployment trial is that of a new employee in post, with only the same amount of service as the length of the redeployment trial, it is not a fully trained, experienced and competent employee that has been in post for years.
- ensure that clear, documented evidence is provided to support any significant areas of underperformance and that these have been raised with the employee with support, training, and time for them to be able to address them during the trial period.
- not use any matters that have not been raised with the employee during the trial period as justification for redeployment not progressing.
- Ensure that HR are advised about any significant developments within the trial period, those which could have implications for successful redeployment outcome.
- Complete and submit all necessary documentation requires promptly.

5.5. Human Resources

Human Resources and Organisational Development (HR and OD) will:

- provide advice and guidance to managers and employees on all aspects of redeployment.
- support line managers in dealing with any employee identified as requiring redeployment under the scope of this policy and procedure.
- maintain a redeployment list together with relevant employee details.
- withhold vacancies from being advertised where an employee identifies a post as a possible redeployment, ensuring that the recruiting manger is advised for them to carry out a priority discussion and skills assessment.
- arrange for a priority discussion with employee, recruiting manager and where appropriate HR.
- ensure that at the priority discussion this remains an informal discussion focused on skills match and identification of reasonable support and training as well as practical arrangements for progression of redeployment where appropriate.
- review all skills matches carried out to ensure fairness and equity, before releasing any vacancy on hold to progress to advert. Any areas of concern should be escalated to the relevant Head of Service. Any areas of significant risk for the Council also be highlighted to the Senior HR Adviser/Service Manager (HR Operations).
- maintain a record of all potential matches and outcomes.
- update the records and either confirm redeployment trial in writing and/or issue a new contract of employment if redeployment is successful following a trial period.
- aim to ensure that timescales for progressing through the process are maintained as far as reasonably possible.
- ensure that timescales for redeployment searches are compliant with the policy and procedure
- ensure that timescales for trial periods are compliant with the policy and procedure

6. Procedure

6.1. Identifying need for Redeployment.

It will normally be the line manager who identifies the need for redeployment after appropriate consultation with the employee.

Once the line manager identifies a redeployment situation they must notify the HR Adviser team who provide advice, guidance, and support to the line manager and individual through the process and maintaining redeployment case records including the Council redeployment register.

The line manager or other relevant manager will provide support to the employee in completion and submission of the redeployment profile (Appendix 1)**.**

6.2. Scope of Search – Service or Council Wide.

In most cases a redeployment search is carried out Council wide. Exceptions to this are where a decision is made to redeploy someone on a disciplinary basis, as part of the outcome of a Grievance or Dignity at Work process or on the basis of performance related capability.

In these circumstances the employing service must ensure that they have a suitable vacancy available before taking the decision not redeploy.

It is also strongly recommended that services seeking redeployment for a member of staff, should initially consider vacancies within their own service first, as this approach is most likely to result in the greatest chance of successful redeployment and will be able to be progressed more promptly.

Redeployment Scope of Search Summary

Reason for Redeployment	Council Wide	Service Only
Redundancy	Yes	
Capability Health Related	Yes	
Disability	Yes	
Health and Safety	Yes	
Conduct (Disciplinary)		Yes
Capability (Performance)		Yes
Capability (Qualification)		Yes
Capability (Prof Registration)		Yes
Capability (Barred from Reg Role)		Yes
Dignity at Work		Yes
Grievance		Yes
Unpaid Carers	Yes	

6.3. Completing the Redeployment Profile

Any individual on a Council wide redeployment process will be required to complete and return a Redeployment Profile (appendix 1). The profile provides critical information on the individual as a basis for a redeployment search and skill match, including:

- Current and previous employment with the Council.
- Current and previous employment out with the Council.
- Voluntary experience.
- Qualifications, Training and Professional Registrations.
- Working patterns – hours and days of work.
- Availability for work where and when they could work.

- Ability to travel
- Level of hours they are seeking

Appendix 8 has guidance for individuals on completing their redeployment profile.

6.4. Redeployment Register

Once the completed Redeployment Profile is received by the Redeployment Co-ordinator from the employee, they will be added to the Council Redeployment Register and the timescale for the redeployment search will commence.

The HR Adviser team will ensure that the Council redeployment register is maintained accurately on a timely basis. This will include the following information for each employee currently in a redeployment process:

- Name.
- Contact telephone number and email.
- Substantive post details – post title, work location, grade, salary point, contracted hours etc.
- Reason they are on the redeployment register i.e. Redundancy, Health, Disability, H&S, Conduct (Disciplinary), Capability (Performance)or Grievance.
- The start and end dates for the period of redeployment search.
- A brief summary of skills to enable skills matching against vacancies going to advert.

6.5. Redeployment Search Timescale

For any Council wide redeployment, the search period is normally 12 weeks, which aligns to the maximum notice period required for any employee. In exceptional circumstances it may be possible to extend a period of redeployment search, but the maximum period considered reasonable shall be 24 weeks.

Extension of a redeployment search must be supported by the relevant Service Manager/Head of Service or Director after having sought advice and guidance from Human Resources.

Time spend in a redeployment trial period for a post, will not count as time for the purposes of a redeployment search period.

There are no periods of redeployment search for internal service redeployment, a vacancy must exist at the time for the decision to be made.

Redeployment Search Timescales

Reason for Redeployment	Search Period
Redundancy	12 weeks
Capability Health Related	12 weeks
Disability	12 weeks
Health and Safety	12 weeks

Reason for Redeployment	Search Period
Unpaid Carers	12 weeks
Conduct (Disciplinary)	N/A*
Capability (Performance)	N/A*
Capability (Qualification)	N/A*
Capability (Professional Registration)	N/A*
Capability (Barred from Reg Role)	N/A*
Dignity at Work	N/A*
Grievance	N/A*

*Services must have an available option for redeployment for these to be progressed as outcomes from the various processes.

6.6. Identifying possible redeployment opportunities

For a Council wide redeployment, normally the HR Adviser team who see all the vacancies progressing to advert and will consider whether any of these are suitable skills matches for redeployment.

Employees on the redeployment list will also have a link so that they can see all Council vacancies at advert, and where they see a post that they think is a possible redeployment opportunity they should identify this to HR as soon as possible.

6.6.1. Post Identified pre-advertising

Prior to being advertised, any vacancy that is identified as a possible redeployment, or where an individual has advised they want to pursue a post for redeployment, will be put on hold by Human Resources. The recruiting manager will be notified that their post is on hold for consideration of a redeployment.

6.6.2. Post identified whilst at advert

Where a post has already gone to advert, the employee will need to apply for the post as normal, they will be guaranteed an interview for the post where there is a basic skills match, in line with normal guaranteed interview procedures in the Council Recruitment and Selection Policy.

Subject being the successful applicant at interview they will be appointed to the post in line with the recruitment and selection policy, there would be no redeployment trial period.

6.7. Redeployment to temporary vacancies

Whilst the objective of redeployment in Council wide redeployment situations, is to secure permanent employment, redeployment to a temporary vacancy can be progressed should those be the only available opportunity.

In those circumstances, as the employee will not be able to return to their substantive post, this will be able to be advertised and recruited to on a permanent basis.

The redeployed employee shall still retain employment rights to a similar post on the same terms and conditions of employment.

Where an individual is temporarily redeployed, and the post is subsequently becomes available on a permanent basis, at that time the redeployment will be confirmed as permanent.

Where an individual is temporarily redeployed and the post does not become available on a permanent basis, they will be returned to the redeployment register twelve weeks before the end of the temporary contract.

Redeployment to Temporary Vacancy able to be considered.

Redeployment Reason	Temp Vacancy	Redeployment Reason	Temp Vacancy
Redundancy	Yes	Capability (Performance)	N/A*
Capability Health Related	Yes	Capability (Qualification)	N/A*
Disability	Yes	Capability (Prof. Registration)	N/A*
Health and Safety	Yes	Capability (Barred from Reg Role)	N/A*
Unpaid Carers	Yes	Dignity at Work	N/A*
Conduct (Disciplinary)	No	Grievance	N/A*

6.8. Priority Discussion

Where a possible redeployment opportunity is identified, or an individual employee on the redeployment list indicates they want to consider the post for a redeployment trial the advertising of the vacancy will be put on hold by Human Resources.

The Redeployment Co-ordinator within Human Resources will notify the recruiting manager so that a priority discussion can be arranged with the individual.

A priority discussion is not a formal interview, it is an informal discussion between the employee and the line manager, and it can include the redeployment co-ordinator as appropriate. The purpose of the priority discussion is:

- For the employee and line manager to meet informally.
- For the employee to find out more about the role, its responsibilities, its duties, and responsibilities.
- For the line manager and employee to identify any reasonable skills gaps/training needs to be supported during the redeployment trial.
- To confirm arrangements for the redeployment trial i.e. start date and any actions in the interim i.e. a PVG check may be required etc.

The priority discussion should aim to be held within a week and normally no more than two weeks from the employee confirming to HR they wish to proceed with a role as a possible redeployment trial.

The recruiting manager should ensure that a priority discussion record (Appendix 3) is completed and returned to the redeployment co-ordinator in Human Resource via email hradviser@orkney.gov.uk.

Appendix 7 has guidelines for a redeployment priority discussion to assist.

6.9. Skills matching

Following a priority discussion the recruiting manager should manager should now progress to carry out the formal skills matching process. This process is an objective assessment of the employees' transferrable skills, knowledge and experience against the must have criteria for the role as stated in the job profile. This process should be informed by only that information that has been gathered from the individual's redeployment profile and the priority discussion.

As skills match is considered where the individual is able to reasonably evidence the majority of the must have criteria, not every must have criteria is required to be evidence, as in redeployment the Council is committed to reasonable support.

It should be noted that not holding an essential qualification is not an automatic bar to being considered, it may be reasonable that supporting an individual to achieve the qualification within a timescale is a reasonable adjustment in terms of the redeployment process.

Where there is a skills match there is an expectation that a redeployment trial will be offered to the individual.

The recruiting manager should complete and return the Skills Match Record (Appendix 2) to the redeployment co-ordinator in Human Resources via email at hradviser@orkney.gov.uk.

The redeployment co-ordinator will complete a brief review of the skill match to ensure that there is reasonable evidence to support the stated outcome, that the process has been carried out fairly and that there is no potential risk to the Council form the outcome.

Should there be any matter of possible concern over the skills matching process, this will be referred to the relevant Head of Service to consider and provide a response.

In any skill matching process that there is a potential significant risk to the Council with will also be identified to the relevant Senior HR Adviser or Service Manager (HR Operations).

6.10. Multiple Redeployment Candidates

Where more than one employee on the redeployment list is a skills match for a post, priority will be given to any candidate in line with section 6 of the Redeployment Policy Statement:

Level of Priority	Reasons for Redeployment
1	Statutory Special Protection from Redundancy
2	Employment impacted by Organisational Change and avoidance of Compulsory Redundancy
3	Health Related and Disability

Level of Priority	Reasons for Redeployment
4	Health and Safety Related
5	Service Specific Redeployments

Where there are still multiple candidates for redeployment within any priority level, following a skills match, the process for selection priority is as follows:

There will be an informal selection process amongst those individuals in the same priority status redeployment.

This process should be carried out on a impartial basis in line with the principles for fairness and equity and on the basis of who is the strongest candidate in terms of match to the essential criterial from the job description/must have skills and requirements form the job profile.

6.11. Suitable Alternative Employment

The Suitable alternative employment is regarded as vacant posts, on the service establishment, arising of the same or similar grade to that already held by the employee for which the employee has a reasonable skills match (see 5.5 above).

This shall include posts in alternative employee categories, of an appropriate salary and status including posts occurring in alternative Council locations where these locations are considered to be reasonable in respect of the employee.

All parties involved in the redeployment process are expected to exercise flexibility when considering opportunities of a different grade, or Council location.

Some suggestions for defining ‘suitable alternative.’

A ‘suitable alternative’ post is one which is appropriate for the employee taking into account:

- The similarity of responsibilities between the current post and the alternative post the he employee’s training, qualifications, skills, experience and capabilities and their ability to undertake the alternative post.
- The grade of the current post
- The hours of work
- Travel requirements of the job.
- Travel between home and base.
- Personal circumstances.
- Although the aim is for a ‘suitable alternative’ post to be similar to the current post, there is no guarantee that an exact match will be available.

6.11.1. Suitable Alternative Employment - Higher Graded Posts

For Council wide redeployment searches, suitable alternative employment will be able to consider posts at a slightly higher grade where appropriate.

Where Council wide redeployment is confirmed as successful and they are redeployed to a higher graded post they will commence at the first point of the grade, there is no discretion to appoint them any higher in the grade.

For other redeployments which are within a Service as a result of a disciplinary process, as part of the outcome of a Grievance or Dignity at Work process or on the basis of performance related capability, redeployment to higher graded posts will not be able to be considered.

6.11.2. Suitable Alternative Employment - Lower Graded Posts

For Council wide redeployment searches, suitable alternative employment will be able to consider posts at a slightly lower grade where appropriate.

Where an individual is redeployed to a lower graded post they will be placed at the top point of the grade to minimise financial impact. Council wide redeployment situations will qualify for pay protection in line with the provisions of Section 10 below.

For other redeployments which are within a Service as a result of a disciplinary process, as part of the outcome of a Grievance or Dignity at Work process or on the basis of performance related capability, redeployment to a lower graded post will not qualify for pay protection.

6.12. Declining the offer of a Redeployment Trial

It is ultimately the choice of the employee on the redeployment list to decide whether or not they wish to accept the offer of either a redeployment trial.

It is however important where either is refuse the employee provides detail and specifics of the reasons why. Where it is determined that an offer of a redeployment trial has been unreasonably refused this may have an impact on the wider redeployment for that individual.

- Where a redeployment trial is unreasonably refused, this could result in the ending of the redeployment search.

The Council will always act reasonably in assessment of the grounds for refusal, but where no clear reason/grounds are provided this may in itself be considered as potentially unreasonable.

The decision as to whether a refusal is reasonable or unreasonable must be made in conjunction with Human Resources. Refer to Section 8 for further guidance on what may constitute a reasonable or unreasonable refusal.

7. Trial Period

7.1. Trial Period Duration

Any Council wide redeployment will have a minimum trial period of 4 weeks and a maximum trial period of 12 weeks. Only with the agreement of Human Resources can a trial period be extended beyond 12 weeks, in very exceptional circumstances.

The normal expectation is that a 4-week trial should be sufficient, as the individual already has a skills match against the majority of the essential criteria form person specification or the ‘must have skills and requirements’ as defined in the job profile.

There must be a genuine and reasonable justification, discussed in advance with HR for any trial period that is to be longer than 4 weeks.

During a trial period, the employee remains paid at their substantive grade and point.

The responsibility for the payment of salary for the employee on redeployment is for the first 4 weeks of any trial period the substantive post line manager.

For any trial period beyond 4 weeks in duration, the recruiting manager takes responsibility for paying the salary for the redeployed employee.

The relevant managers must sort with finance the relevant budget virements in relation to payment for any trial beyond 4 weeks.

7.2. Trial Period Review Meetings

The recruiting manager (manager of the post taking a redeployment) will ensure that a review meeting is held a minimum for every 2 weeks during a trial period and that a final review meeting is held in the final week of the trial.

The purpose of the review meetings is to:

- Keep in close and regular contact with the redeployee during the trial period as a means of ongoing engagement and support.
- To review identified reasonable skills gap training/development progress.
- Seek updates form employee on how the redeployment is progress.
- Where appropriate review any previously identified and/or newly requested reasonable adjustment in respect of disability.
- Where necessary raise any areas whereby performance is not comparable with a reasonable new employee, with the relevant length of time in the post and to look at what other reasonable support can be put in place to support the employee to improve.
- At the final review to confirm that the redeployment is to be confirmed on a permanent basis.

- Should the outcome be a redeployment is not the be confirmed as permanent, this must be discussed with HR in advance of the final review to ensure that this decision is fair, reasonable, and compliant with the provisions of the redeployment policy.

Trial Period Review Record (appendix 4) should be completed to confirm the review outcome and a copy given to the employee and once forwarded to Human Resources.

Further guidance for trail period review meeting is included at appendix 9.

7.3. Final Trial Period Review Meeting

The final trial period review meeting must be held during the final week of the trial period. It primary purpose is to confirm whether the redeployment will be confirmed as permanent.

Please remember that the Council policy is that redeployment will be presumed to be confirmed unless there is clear evidence of the post holder failing to meet reasonable standards of performance in the role, as is expected for the length of time that they have been in the post. In these circumstances there must be evidence to support that these areas of concern have been discussed with the employee and that further advice and support have been provided to assist in addressing these during the redeployment trial.

Where there is no such evidence it will not be reasonable to not confirm the redeployment as permanent.

Final Review Meeting Record (appendix 5) should be completed to confirm the Redeployment Trial Final Review Meeting and outcome and a copy given to the employee and once forwarded to Human Resources.

7.4. Declining a Redeployment Trial or offer of Redeployment

It is ultimately the choice of the employee on the redeployment list to decide whether or not they wish to accept the offer of either a redeployment trial, or a redeployment.

It is however important where either is refuse the employee provides detail and specifics of the reasons why.

Where it is determined that an offer of a redeployment trial or redeployment has been unreasonably refused this may have an impact in one of the following ways:

- Where a redeployment trial is unreasonably refused, this could result in the ending of the redeployment search.
- Where an offer of redeployment is unreasonably refused, this could result in the employee being made redundant and them being entitled to no redundancy payment.

The Council will always act reasonably in assessment of the grounds for refusal, but where no clear reason/grounds are provided this may in itself be considered as potentially unreasonable.

The decision as to whether a refusal is unreasonable must be made in conjunction with Human Resources. Refer to Section 8 for further guidance on what may constitute a reasonable or unreasonable refusal.

8. Successful Redeployment

Where a redeployment is successful there is a presumption that the redeployment will be offered on a permanent basis.

The employee will still have the choice of where to accept the permanent redeployment or not, however unreasonable refusal of the offer of redeployment may have implications for the individual. See section 9.

Where the redeployment is accepted, the post holder will simply continue working in the role whilst the formal contractual documentation to vary their contract is progressed.

The period of redeployment search will automatically end at the point the offer of redeployment is accepted.

9. Unsuccessful Redeployment

Where a redeployment trial is unsuccessful i.e. it does not result in the offer of redeployment to the post holder the options that exist that that stage is as follows:

9.1. Time remaining on the redeployment search

The employee returns to the redeployment list for the remainder of the time and the process of seeking suitable alternative employment continues in line with this policy and procedure.

The post becomes available for recruitment to, unless another skills match is identified from the Council redeployment list.

9.2. Redeployment search time has concluded

Where the redeployment search period has been exhausted the line manager will need to give consideration as to the next relevant stages.

The employee will return to their substantive post, and dependant on the reason for the redeployment search the way forward could include the possibility of redundancy, capability dismissal procedures.

Advice and guidance must be sought from Human Resources before any discussions with the employee on the way forward.

10. Pay Protection

For Council wide redeployment searches for redundancy, health, disability, health, and safety, pay protection is available where the redeployment is to a post at a lower grade and there is a drop in annual basic salary earnings (excluding allowances).

Refer to section 16 of the Redeployment Policy Statement for further information on pay protection.

Appendix 6 to this procedure has some examples of pay protection calculations.

Reason for Redeployment	Pay Protection is Available
Redundancy	Yes
Capability Health Related	Yes
Disability	Yes
Health and Safety	Yes
Conduct (Disciplinary)	No
Capability (Performance)	No
Capability (Qualification)	No
Capability (Professional Registration)	No
Capability (Barred from Regulated Role)	No
Bullying, Harassment and Discrimination	No
Grievance	No
Unpaid Carers	No

10.1. How does pay protection work?

Where you are redeployed to a lower graded post under this policy, you will be appointed at the top point of the grade for the post you are redeployed into.

For payment of pay protection allowance there must have been a drop in annual basic salary earnings (excluding allowances other than Distant Islands Allowance).

Where you are eligible for pay protection allowance this is paid for a maximum period of 12 months and is subject to deductions for income tax, national insurance, and pension.

Pay protection allowance is calculated on the difference in your basic pay annual earnings for your substantive post (post that you are redeployed out of) compared to the top salary point of the next grade below the grade you are paid at in the pay scale.

If you were to be redeployed to a post on a grade lower than 1 grade below your current grade the method of pay protection allowance calculation remains unchanged i.e. it is

calculated on the difference between your substantive basic salary and the top point of the grade below your substantive post.

10.2. Allowances and Pay Protection

Allowances that are payable based on the post that you are employed in i.e. shift allowance, weekend allowance, night allowance, first aid allowance are not covered via pay protection.

Allowances payable in your redeployed post, other than Distant Islands Allowance will also not be considered in calculations for pay protection.

10.3. Pay Awards/Incremental Progression and Pay Protection

Where you are redeployed and pay protection is applicable, you will already be at the top of the grade for the new post. Therefore, there will be no incremental progression possible. Nationally negotiated cost of living awards applicable to your redeployed post will be paid as normal.

10.4. Split/Career Graded Posts and Pay Protection

Where your substantive post (post from which you are being redeployed) has a split/career grade (has a grade which covers more than one of the Grades A – N in the Council pay structure). Pay protection arrangements are applied normally, with the exception of

At the time of redeployment, whichever grade of the split grade you are paid on, it is the top point of immediate grade below the grade you are paid on, not the top point of the grade below the lowest grade in the split/career grade which ill be used for allowance calculation.

i.e. In redeployment from a Social Care Worker post (Grade E/F) if you are paid on Grade F at the time of redeployment any protection allowance will be calculated on the basis of you going to the top of Grade E. If you are paid at grade E at the time of redeployment any protection allowance will be calculated on the basis of you going to top of Grade D.

10.5. Change of Grade for Post and Pay Protection

In the event that the grade for the post you are redeployed to changes (increases or decreases) in line with normal Council policy and procedure, this may have an impact for your pay protection arrangement.

An increase in grade may have the effect of either removing you from pay protection or reducing the level of pay protection allowance paid.

A decrease in grade will as normally trigger a new period of pay protection linked to the decrease in grade. This may result in a period of where 2 separate payments of pay protection allowance are made, one linked to the redeployment and the other linked to the decrease in grade. Each will have their own start and end dates and calculated payment. These will not be combined into a single allowance payment.

10.6. Changes of contracted hours and Pay Protection

Where you are redeployed to a post where the contracted hours are lower than your current contracted hours, the reduction in contractual hours does not attract pay protection allowance, other than where the equivalent FTE hours average earnings (including allowances) are lower in the redeployed post.

Where you are redeployed to a post where the contracted hours are higher than your current contracted hours, the increased contracted hours at the lower rate will be taken into account when calculating any pay protection allowance due.

10.7. Ending of Pay Protection

Pay protection will end when either of the following are met:

- After you have been in the redeployed post for twelve months.
- Where the salary and allowances that you earn in your redeployed posts increases to equal or overtake that of the salary and average allowance payments you received in your previous post.
- Where you resign or leave the post that you were redeployed to.

10.8. When Pay Protection is not payable

Pay protection is not payable in the any of the following circumstances:

- In any redeployment situation where there is no drop in annual basic salary earnings (excluding allowances other that Distant Islands Allowance).
- Where redeployment is on the basis of either Conduct (Disciplinary), Capability (Performance, Qualification, Professional Registration or Barred from Regulated Role), Dignity at Work or Grievance.
- Where redeployment is on the basis of a request from an Unpaid Carer.
- Where in redeployment where pay protection would apply, you have been offered and unreasonably declined redeployment to a post which would have meant pay protection would not have been necessary.

11. Excess Travel Costs

Where, as a result of any redeployment type covered withing this policy, the employee is eligible to claim excess travel costs, where the following criteria are satisfied:

- Their normal place of work has been changed by the Council.
- This change must be permanent change.
- The normal home to work, daily travel (home to work at start of day and work to home at end of day, no mileage is eligible for inclusion for any travel between work and home during the working day i.e. lunch or rest breaks) must have increased by over 5 miles each day.

Where excess travel is payable, it is payable for a maximum period of 3 years.

Payment of excess travel shall be at either the standard normal mileage rate within the relevant Council terms and conditions of employment or where public transport is used, the difference in costs will be paid upon production of relevant receipts.

Where HMRC rules require that excess travel costs be subject to deductions for income tax and national insurance this will occur.

Where an employee has a normal pattern of working including working from home, this must be factored into the work out and any claim for additional travel costs.

- Unless an employee has a formal amendment to their contract to include home working, their normal base of work remains that as advised on their contract and for the purposes of calculating excess travel costs it will continue to be calculated on the basis that they travel to and from their original, normal place of work on each working day.
- In calculating any future excess mileage where there is a pattern of regular home working excess travel costs cannot be claimed for any regular day of home working as there are no additional costs incurred.

An employee's original employing service will be responsible for the cost associated with any additional travel costs related to redeployment.

Redeployment and Excess Travel Costs

Reason for Redeployment	**Excess Travel Costs**
Redundancy	Yes, subject to satisfying qualifying criteria.
Capability (Health Related)	
Disability	
Health and Safety	
Dignity at Work	
Grievance	
Unpaid Carers	No
Conduct (Disciplinary)	No
Capability (Performance)	No
Capability (Qualification)	No
Capability (Professional Registration)	No
Capability (Barred from Regulated Role)	No

12. Reasonable and Unreasonable Refusal.

The decision as to whether to accept an offer of redeployment or trail period is up to the individual employee. It is however important that before making the decision to decline an offer of redeployment or a redeployment trial the individual gives consideration to the following:

- Unreasonable refusal may arise where the differences between the new and old jobs are negligible or where the employee assumes rather than investigates the changes that a new job might involve , for example, travelling time or working conditions.
- In other situations, unreasonable refusal of a trial period or redeployment, may result in the redeployment search period being ended early.
- Refusal may be reasonable if the new job would cause domestic upheaval, for example if there was a considerable change in working hours or a need to move house etc.
- The redeployment options available are limited by the vacancies that arise, and the Council will not create a role/post to redeployment someone specifically into, therefore there is no guarantee that any other redeployment opportunity can be identified within the redeployment timescale.
- The alternative may be that the individual may end up being dismissed form employed for either redundancy, disciplinary conduct, health or performance related capability or some other substantive grounds.

This is not an exhaustive list as to what may constitute a reasonable or unreasonable refusal of a redeployment trial or an offer of redeployment. Advice and guidance must always be taken from Human Resources in these circumstances.

13. Appeals

There is no specific appeal process within the redeployment policy. Individuals do have access to either the specific appeal processes within other relevant policies i.e. disciplinary appeal where the redeployment is as a result of disciplinary process, appeal to Staff Appeals Sub-committee where employment is terminated or have access to the Grievance Policy and Procedure where there is no relevant policy specific appeal route.

It is not competent to raise both an appeal under the relevant policy and a grievance in relation to redeployment.

Appendix 1 - Redeployment Profile.

ORKNEY
ISLANDS COUNCIL

Personal Information	
Full Name	
Home Address	
Contact email	
Contact Phone No’	

Reason for Redeployment					
Redundancy	☐	Capability (Health)	☐	Disability	☐
Health and Safety	☐	Dignity at Work	☐	Grievance	☐
Conduct	☐	Capability (Others)	☐	Unpaid Carer	☐

My Current Role	
Job Title	
Location	
Manager	
Perm/Temporary	Perm ☐ Temp ☐ **Temporary end date**

My Current Working Pattern	
I have a temporary flexible working agreement.	***Yes** ☐ **No** ☐
I have home working contract.	***Yes** ☐ **No** ☐
I have a remote working contract (out of Orkney).	***Yes** ☐ **No** ☐
I have a hybrid working contract (some work from home).	***Yes** ☐ **No** ☐
***If Yes, please provide detail.**	

Considerations for Redeployment

Availability

Times I am **not** available for work = please mark with a 'X' any days and times that you would **not** be available, and please give a brief summary below as to the reasons why.

	Sun	Mon	Tue	Wed	Thurs	Fri	Sat
Morning (8am – Midday)							
Afternoon (Midday - 5 pm)							
Evening (5 pm – 10 pm)							
Night (10 pm – 8am)							

Reasons:

Location

Where am I available to work. Please indicate the areas and or islands within Orkney that you are able to work in should an opportunity arise?

Travel/Transport	
I have my own or access to a car or other transport.	Yes ☐ No ☐
I use public transport (bus/ferry/flight) to get to and from work.	Yes ☐ No ☐
I generally cycle or walk to work.	Yes ☐ No ☐

Any possible challenges in relation to travel/transport?

Contracted Hours	
What are the minimum contracted hours you would like?	
What are the maximum contracted hours you can work?	
Any possible challenges in relation to contracted hours?	

Work History

Current Job with the Council			
Post Title			
Work Location			
Line Manager			
Start Date		End Date	N/A
Grade		Contracted Hours	
Working Pattern (summarise wring pattern, days, times etc)			
Summary of Duties			

Other Employment with the Council (If any)			
Post Title			
Work Location			
Line Manager			
Start Date		End Date	
Pay/Salary		Contracted Hours	
Working Pattern (summarise wring pattern, days, times etc)			
Summary of Duties			

Use additional employment sheets to add other jobs if required

Other Employment <u>out with</u> the Council (If any)			
Post Title			
Work Location			
Line Manager			
Start Date		End Date	
Grade		Contracted Hours	
Working Pattern (summarise wring pattern, days, times etc)			
Summary of Duties			

Use additional employment sheets to add other jobs if required

Qualifications, Training and Professional Registration

Qualifications – Please detail school, college and/or university qualifications that you hold.

Training – Please provide details of any other training or learning that you have participated in.

Professional Registration – Please provide details of Professional Registrations that you currently or previously have held.

Appendix 2 - Skills Match Record

ORKNEY
ISLANDS COUNCIL

Skills Match Record

Post Title			
Location			
Post Number			
Manager			
Contract	☐ Perm ☐ Temp	**Grade**	
Weekly Hours		**FTE**	
Working Weeks		**Pay Protection**	☐ Yes ☐ No
Redeployment Co-ordinator			

Skills Match Assessment

To be completed by manager of the post being considered for redeployment

Must Have Criteria from Job Profile
{document the must have criteria here that is being assessed}
Is there skills match for this post ☐ Yes ☐ No*** If no, please explain below**
{provide detail and specific evidence form re redeployment profile and priority discussion to evidence your assessment}

Must Have Criteria from Job Profile
{document the must have criteria here that is being assessed}
Is there skills match for this post ☐ Yes ☐ No**** If no, please explain below**
{provide detail and specific evidence form re redeployment profile and priority discussion to evidence your assessment}

Must Have Criteria from Job Profile
{document the must have criteria here that is being assessed}
Is there skills match for this post ☐ Yes ☐ No**** If no, please explain below**
{provide detail and specific evidence form re redeployment profile and priority discussion to evidence your assessment}

Must Have Criteria from Job Profile
{document the must have criteria here that is being assessed}
Is there skills match for this post ☐ Yes ☐ No*** If no, please explain below**
{provide detail and specific evidence form re redeployment profile and priority discussion to evidence your assessment}

Must Have Criteria from Job Profile
{document the must have criteria here that is being assessed}
Is there skills match for this post ☐ Yes ☐ No*** If no, please explain below**
{provide detail and specific evidence form re redeployment profile and priority discussion to evidence your assessment}

Must Have Criteria from Job Profile
{document the must have criteria here that is being assessed}
Is there skills match for this post ☐ Yes ☐ No*** If no, please explain below**
{provide detail and specific evidence form re redeployment profile and priority discussion to evidence your assessment}

Must Have Criteria from Job Profile
{document the must have criteria here that is being assessed}
Is there skills match for this post ☐ Yes ☐ No*** If no, please explain below**
{provide detail and specific evidence form re redeployment profile and priority discussion to evidence your assessment}

Must Have Criteria from Job Profile
{document the must have criteria here that is being assessed}
Is there skills match for this post ☐ Yes ☐ No*** If no, please explain below**
{provide detail and specific evidence form re redeployment profile and priority discussion to evidence your assessment}

Must Have Criteria from Job Profile
{document the must have criteria here that is being assessed}
Is there skills match for this post ☐ Yes ☐ No*** If no, please explain below**
{provide detail and specific evidence form re redeployment profile and priority discussion to evidence your assessment}

Skills Match Outcome	
Is a redeployment trial to be offered for this post ☐ Yes ☐ No* *** If no, please explain below**	
{provide detail and specific explanation for your decision}	
Proposed Start Date	

Manager carrying out Skills Assessment	
Name	
Role	
Date of Decision	

Once completed, return the completed form to the Redeployment Co-ordinator via email at **hradviser@orkney.gov.uk** as soon as possible.

Please do not contact the individual in redeployment to advise of any outcome at this stage, the Redeployment Co-ordinator will advise them.

Please note that this skills assessment will be shared with the individual for their information.

Appendix 3 - Priority Discussion Record

Post being considered for Redeployment Trial

Post					
Work Location					
Post Number					
Contract	☐ Perm ☐ Temp	**Grade**			
Allowances (indicate all that apply to the post)	☐ Distant Islands Allowance ☐ Shift Allowance (10%) ☐ Shift Allowance (15%) ☐ Weekend working Allowance (25%) ☐ Night working Allowance (33%) ☐ Shift Allowance - Kirkwall Pier Workers (17.5%) ☐ Shift Allowance – Launch Crews (17.85%) ☐ Stanby/oncall. ☐ Sleep In				
Weekly Hours		**FTE**		**Working Weeks**	

Priority Discussion Arrangements

Manager's Name			
Manager's Role			
Redeployment Co-ordinator			
Date		**Time**	
Location	☐ In Person _____ ☐ Microsoft Teams		

Must Have Criteria for Post (from Job Profile)

{document the must have criteria here that is considered}
{from the review of the redeployment profile and the priority discussion information to support the criteria and/or identify reasonable support/training needs}

{document the must have criteria here that is considered}
{from the review of the redeployment profile and the priority discussion information to support the criteria and/or identify reasonable support/training needs}

{document the must have criteria here that is considered}
{from the review of the redeployment profile and the priority discussion information to support the criteria and/or identify reasonable support/training needs}

{document the must have criteria here that is considered}
{from the review of the redeployment profile and the priority discussion information to support the criteria and/or identify reasonable support/training needs}

{document the must have criteria here that is considered}
{from the review of the redeployment profile and the priority discussion information to support the criteria and/or identify reasonable support/training needs}

{document the must have criteria here that is considered}
{from the review of the redeployment profile and the priority discussion information to support the criteria and/or identify reasonable support/training needs}

{document the must have criteria here that is considered}
{from the review of the redeployment profile and the priority discussion information to support the criteria and/or identify reasonable support/training needs}

{document the must have criteria here that is considered}
{from the review of the redeployment profile and the priority discussion information to support the criteria and/or identify reasonable support/training needs}

Once completed, return the completed form to the Redeployment Co-ordinator via email at hradviser@orkney.gov.uk as soon as possible.

Please now progress to complete the formal Skills Assessment.

Please note that this document will be shared with the individual for their information.

Appendix 4 - Trial Period Review Record

ORKNEY
ISLANDS COUNCIL

Trial Period Review Record (held every 2 weeks)

Employee Name			
Post			
Location			
Review Manager			
Trial Period Start		**Length of Trial**	weeks
Trial Period Review		**Trial Period End**	

Period of Review	☐ 2 Weeks Review	☐ 4 Weeks Review
☐ 6 Weeks Review	☐ 8 Weeks Review	☐ 10 Weeks Review

Duties and responsibilities progressing well?

Duties and responsibilities not progressing well?
Trial Period Review Record

Duties and responsibilities still to be covered?

Progress on skills gap/development needs?

Additional support required?

Redeployment Co-ordinator	
Trial Period Next Review Date	

Provide a copy of review to employee and to the Redeployment Co-ordinator.

Appendix 5 - Trial Period Final Review Record

ORKNEY
ISLANDS COUNCIL

Trial Period Final Review Record (held during last week of trial period)

Employee Name			
Post			
Location			
Review Manager			
Trial Period Start		**Length of Trial**	weeks
Trial Period Review		**Trial Period End**	
Redeployment Co-ordinator			

Areas that have progressed well over the trial period?

Any aspects not progressed as planned and why not?

Skills gap/development needs still to progressing?

Trial Period Outcome	
Permanent redeployment confirmed	**Yes** ☐ ***No** ☐
Temporary redeployment confirmed (if temp post only)	**Yes** ☐ ***No** ☐
Redeployment offered but turned down by individual.	***Yes** ☐ **No** ☐
Redeployment not offered by manager.	***Yes** ☐ **No** ☐
* Specific detailed explanation is provided as to why at the review meeting and is documented below.	

Provide a copy of review to employee and to the Redeployment Co-ordinator.

Appendix 6 – Pay Protection Examples

	Example 1	**Example 2**	**Example 3**
Substantive Post Title Grade SCP Hours	 Administration Assistant Grade D SCP29 35 Hours	 Mobile Community Responder Grade E SCP32 37 Hours	 Administration Assistant Grade D SCP27 35 Hours
Substantive Post Allowances	Distant Islands Allowance	Distant Islands Allowance 15% Unsocial Hours	Distant Islands Allowance
Payments Salary Distant Islands Allowance Unsocial Hours **Total Earnings**	 £26,735 £2,997 N/A **£29,732**	 £29,188 £2,997 £4,378.20 **£36,563.20**	 £26,151 £2,997 N/A **£29,148**
Earnings for Pay Protection	**£29,732**	**£32,185** excl. Unsocial Hours	**£29,148**
Redeployment Post Title Grade SCP Hours	 Social Care Assistant Grade D SCP29 37 Hours	 Social Care Assistant Grade D SCP29 37 Hours	 Receptionist Grade B SCP22 Hours 30
Redeployment Post Allowances	Distant Islands Allowance 10% Unsocial Hours	Distant Islands Allowance 10% Unsocial Hours	Distant Islands Allowance
Payments Salary 10% Unsocial Hours Distant Islands Allowance **Total Earnings**	 £28,262 £2,826 £2,997 **£34,086**	 £28,262 £2,826 £2,997 **£34,085**	 £24,892 £N/A £2,997 **£27,889**
Earnings for Pay Protection	**£31,260**	**£31,259**	**£27,889**
Pay Protection Payable	No	Yes	Yes
Pay Protection Allowance Value	N/A	£926 Annually £71.16 Monthly.	£1,259 Annually. £104.91 Monthly.

	Example 4	Example 5
Substantive Post Title Grade SCP Hours	 Social Care Worker Grade E/F F38 37	 Social Care Worker Grade E/F E35 37
Substantive Post Allowances	Distant Islands Allowance Unsocial Hours 10%	Distant Islands Allowance Unsocial Hours 10%
Payments Salary Distant Islands Allowance Unsocial Hours **Total Earnings**	 £31,542 £2,997 £3,154 **£37,693**	 £29,188 £2,997 £2,918 **£35,103**
Earnings for Pay Protection	**£34,539**	**£32,185**
Redeployment Post Title Grade SCP Hours	 Administrative Assistant Grade D 29 35	 Administrative Assistant Grade D 29 35
Redeployment Post Allowances	 N/A	 N/A
Payments Salary Unsocial Hours Distant Islands Allowance **Total Earnings**	 £26,735[1] N/A £2,997 **£29,732**	 £26,735[1] N/A £2,997 **£29,732**
Earnings for Pay Protection	**£32,610** (37 Hours @E33)	**£31,259** (37 Hours @D29)
Pay Protection Payable	Yes	Yes
Pay Protection Allowance Value	£1,929 Annually £160.75 Monthly	£926 Annually £77.16 Monthly

Appendix 7 – Redeployment Priority Discussion Guidance.

What is a priority discussion?

This is an informal meeting of the employee on the redeployment register, the line manager for the post that a skills match has been identified for and the Redeployment Co-ordinator from HR.

The purpose of this discussion is:

- For the employee and line manager to meet informally.
- For the employee to find out more about the role, its responsibilities, its duties, and responsibilities.
- For the line manager and employee to identify any reasonable skills gaps/training needs to be supported during the redeployment trial.
- To confirm arrangements for the redeployment trial i.e. start date and any actions in the interim i.e. a PVG check or OH pre-employment health clearance may be required etc.

When should the priority discussion happen?

Normally within two weeks of the skills match is identified and the employee confirms that they want to consider the redeployment. The priority discussion should aim to be held within a week and normally no more than two weeks from the employee confirming to HR they wish to proceed.

What should happen following the discussion?

a. Where a redeployment trial is agreed to progress:

- Arrangements for the trial should be confirmed in writing, normally within a week of the priority discussion. This should include any actions that are required in the interim i.e. a PVG check to be completed, the start date of the redeployment trial and the duration of the trial.
- Any interim actions should be progressed as agreed.
- Confirmation of the redeployment trial will be issued by the Redeployment Co-ordinator using either **[Template Letter A – Trial is to same grade or lower graded post] or [Template Letter B – Trial is to higher graded post],** this letter will be copied to Payroll for information.

b. Where redeployment trial is <u>not</u> agreed to progress.

- The specific reason for the redeployment trial not progressing when there it is a decision of the employee on the redeployment list, or a decision of the recruiting manager must be confirmed in writing.
- The reasons from either for not progressing with the trial must be detailed and specific, and for the relevant manager they must be purely related to the employee match against the essential criteria for the post and how it would not be reasonably able to class such gaps as reasonable development.

Appendix 8 - Redeployment Profile Guidance for Individuals.

Purpose of the Redeployment Skills Profile

The skills profile is how you let your redeployment co-ordinator who all about you. Think about your skills profile as a job application form, sell yourself, your skills, experiences etc.

Information will include:

- Your personal details.
- Your contract details (email and phone number).
- your employment history (not just the jobs you have done with the Council).
- your skills.
- your qualifications.
- your training and development.
- where it is you would ideally like to work.
- when during the week and each day you are available for work.
- wow you travel to work and any challenges that could impact on the redeployment.

It is important you give your redeployment co-ordination as much information as possible, that this information is accurate and that they can quickly and easily understand this.

However please do not submit mammoth documentation, keep the information short and easily understood, bullet points, short sentences rather than long descriptive paragraphs and avoid duplication where possible.

This is the information that they will be using to look at possible skills matches for you for posts that could be possible redeployment for you.

If you are unsure, please contact either your Trade Union Rep (if you have one) or your redeployment co-ordinator for advice and guidance.

Where you have completed your skills profile, submit it to your Redeployment Co-ordinator as soon as possible so the search for alternative employment can commence.

Redeployment Search Period

Council Vacancies - Externally Advertised

Council Vacancies - Internally Advertised Only

During the search period you should be reviewing the Council vacancies via the above links a minimum of once a week.

Where you identify a vacancy that you consider could be a possible redeployment and from reviewing the ‘must have’ criteria in the job profile you meet the majority of them, you should contact your Redeployment Co-ordinator as soon as possible.

It is best to call and speak to them rather than email, prompt action is always important in redeployment.

Appendix 9 - Trial Period Review Meeting Guidance.

The minimum requirement during a redeployment trial is that a review meeting is held between the manager and individual on the redeployment trial every 2 weeks.

These reviews are important; they form the basis of the evidence for being able to confirm a redeployment as successful or not.

It is critical that we are able to evidence that we have fulfilled out commitment to reasonable training, development and support for any redeployee, which the reviews provide evidence of.

The review meeting should be structures around the following format:

- Duties and Responsibilities – progressing well

This should be from both the employee's perspective and from the managers point of view.

- Duties and Responsibilities – not progressing well

Again, this should be from both the employee's and manager's perspectives.
These are areas that further consideration of other supports needs to be looked at.

- Duties and Responsibilities – still to be covered

It is important to document and acknowledge areas of the job that have not as yet been able to be looked at. This forms a reminder for further training/support but can also be helpful when reviewing the overall trial period, as if there has been no opportunity to cover areas of the role, then it would not be reasonable to consider these in the overall assessment.

- Progress on skills gap/development needs

Reviewing the previously identifies skills gap/development needs and what support has been put in place so far to address these.

- Additional support required

Generally, feedback from the individual as to whether they feel any additional support would be helpful and where identified whether this support is going to be able to be put in place.

Remember to complete the Trial Period Review Meeting section in the Redeployment Record.

Appendix 3 – Overview of changes to the Redeployment Policy

1. Policy Scope and Alignment

- Defines the circumstances in which redeployment can be applied, ensuring alignment with all other Council policies and legal obligations.

- Clarifies that redeployment applies in cases of:
    - Redundancy
    - Health
    - Disability
    - Health and Safety
    - Conduct*
    - Grievance*
    - Bullying, Harassment and Discrimination*
    - Sexual Harassment*

- Establishes which circumstances allow Council-wide redeployment and which are restricted to redeployment within the employee's current Service (*).

2. Roles, Responsibilities and Governance

- Clarifies the roles and expectations of employees, managers and HR in delivering an effective redeployment process.
- Introduces a more structured and detailed procedure supported by summary flowcharts and guidance.

3. Redeployment Process and Duration

- Confirms a maximum Council-wide redeployment search period of 24 weeks, while retaining the standard 12-week period.
- Introduces clearer guidance on redeployment into temporary posts, including allowing the substantive Service to fill the temporary vacancy permanently where appropriate.
- Establishes a "presumed yes" approach to trial offers, based on skills-matching undertaken by the Redeployment Co-ordinator.
- Prioritises the protection of employment for existing employees over external recruitment.

4. Pay Protection

- Maintains existing timescales and cost parameters for pay protection.
- Changes pay protection from maintaining the previous grade to applying a pay protection allowance.
- Provides clearer guidance on when pay protection does not apply or when it will end.

5. Trial Periods

- Confirms the standard 4-week trial period, with a maximum of 12 weeks in exceptional circumstances.
- Maintains the position that the substantive manager funds salary during the initial 4-week trial.
- Where a longer trial is agreed, salary responsibility transfers to the receiving manager from week 5 onwards.

6. Documentation and Systems

- Introduces revised and streamlined documentation to support the redeployment process.
- Aims to move the process away from paper-based forms and towards a simple online workflow using existing Council systems such as MyView and TalentLink.

Appendix 4

Equality Impact Assessment

The purpose of an Equality Impact Assessment (EqIA) is to improve the work of Orkney Islands Council by making sure it promotes equality and does not discriminate. This assessment records the likely impact of any changes to a proposal or changes by anticipating the consequences and making sure that any negative impacts are eliminated or minimised and positive impacts are maximised.

Should you have any questions or wish for your draft EqIA to be reviewed by our Equality, Diversity and Inclusion Adviser, please contact OD@orkney.gov.uk.

1. Identification of the Proposal or Change	
Name of proposal or change being assessed.	Redeployment Policy.
Responsible Service and Directorate.	Human Resources and Organisational Development, Infrastructure and Organisational Development.
Date of assessment.	28 September 2026.
Is the proposal or change existing? (Please indicate if the service is to be deleted, reduced or changed significantly).	Updates to an existing policy.

2. Primary Information	
What are the intended outcomes of the proposal or change?	To assist individuals dealing with employment and life situations through aiming to protect employment by retaining skills and knowledge within the workforce wherever possible.
Is the proposal or change strategically important?	Strategic plans include major investment plans, new strategic frameworks or plans such as annual budgets, locality plans or corporate plans. Where a proposal is identified as strategic, evidence relating to socio-economic impacts and inequalities will be required in the relevant section **Yes**

State who is or may be affected by this proposal or change, and how?	All Council employees.
How have stakeholders been involved in the development of this proposal or change?	Policies have been reviewed and agreed by the Corporate Leadership Team and Extended Corporate Leadership Team with their views being taken on board. Policies are subject to collective bargaining with the Council recognised Trade Unions before final approval from Elected Members.
Is there any existing data and / or research relating to equalities issues in this policy area? Please summarise. E.g. consultations, national surveys, performance data, complaints, service user feedback, academic / consultants' reports, benchmarking.	The Equality and Human Rights Monitor: Is Scotland Fairer report published in November 2023 by the Equality and Human Rights Commission reviews the available data and evidence to support evidence-based debate and decisions to drive action and meaningful change that will make life fairer for everyone in Scotland. The report focuses on six major areas of life for each protected characteristic; one of which includes work. Key findings include: • The attainment gap between looked after children has not reduced resulting in lower further or higher education, employment or training outcomes. • Despite increasing levels of employment, disabled people in Scotland are more likely to earn a lower hourly wage and / or be in low-paid employment than non-disabled people, with the gap widening. • Despite increasing employment levels, ethnic minority workers in Scotland on average experience both a lower quantity and poorer quality of work, with consistently lower median hourly earnings and higher levels of insecure work. • The employment and gender pay gap in Scotland has narrowed. However, the Scottish labour market continues to have high levels of sex segregation and strong sex segregation in apprenticeships reflecting the labour market. The Scottish Government published A Fairer Scotland for All: An Anti-Racist Employment Strategy focusing on four areas: • Understanding the workforce through data. • Acting on recruitment and representation. • Driving cultural and attitudinal change. • Fair work policy and legislation.

	The strategy provides guidance for employers to create inclusive workplaces by developing an anti-racist culture; raising awareness of the harms of racism, including hate-crime and supporting anti-racist campaigns. The Disability Confident employer scheme is a government initiative that encourages people to increase the number of disabled people they hire. The framework sets out three levels of achievement to support organisations put steps in place to help the recruitment, retention and development of disabled people.
Is there any existing evidence relating to socio-economic disadvantage and inequalities of outcome in this policy area? Please summarise. E.g. For people living in poverty or for people of low income. See The Fairer Scotland Duty Guidance for Public Bodies for further information.	Loss of employment can have a significant impact on income, financial security and household wellbeing. By seeking alternatives to redundancy and providing temporary pay protection where redeployment results in lower earnings, the policy may help reduce financial hardship and support employees who may otherwise experience socio-economic disadvantage. Employees living in remote and island communities may have fewer alternative employment opportunities available locally, making redeployment and employment retention particularly important.
Could the proposal or change have a differential impact on any of the following equality areas?	Please provide any evidence – positive impacts / benefits, negative impacts and reasons:
1. Race: this includes ethnic or national groups, colour and nationality.	Redeployment is open to all races on an equal basis.
2. Sex: a man or a woman.	Redeployment is open to both men and women on an equal basis.
3. Sexual Orientation: whether a person's sexual attraction is towards their own sex, the opposite sex or to both sexes.	Redeployment is open to all sexual orientations on an equal basis.
4. Gender Reassignment: the process of transitioning from one gender to another.	No differential impact.
5. Pregnancy and maternity.	The Council recognises that pregnancy and maternity can impact on an woman ability to carry out their role. The Redeployment policy enables consideration of redeployment

	on a permanent or temporary basis on the grounds of health, disability or health and safety,
6. Age: people of different ages.	Redeployment is open to all ages on an equal basis.
7. Religion or beliefs or none (atheists).	Redeployment is open to all individuals on an equal basis irrespective of their religion or beliefs.
8. Disability: people with disabilities (whether registered or not).	The Council recognises that those with a disability can often experience difficult in entering or remaining in the workforce and as such the policy seeks to support anyone with a disability impacting on their current employment to be able to be sustained in relevant, alternative employment as appropriate within the Council.
9. Marriage and Civil Partnerships.	No differential impact.
10. Caring responsibilities	The Council recognises that the demands on unpaid carers can impact on employment and often balancing the unpaid caring and employment can be a significant challenge. The Council also recognises that it may not always be possible for some roles to be adjusted to provide support for unpaid caring responsibilities, so has expanded the scope of the redeployment policy to provide further support for unpaid careers who are in current roles that cannot accommodate reasonable adjustment.
11. Socio-economic disadvantage.	The Council recognises that alternative employment options may be limited and to provide as wide a range of alternatives as possible in order to protect employment offers temporary pay protection arrangements for individuals being redeployed that may see a reduction in earnings as a result.
12. Care experienced	Care experienced employees may have lower levels of family support and can be disproportionately affected by employment insecurity. By seeking to retain employees through redeployment wherever possible, the policy may have a positive impact on care experienced employees by helping maintain stable employment and income.

3. Impact Assessment	
Does the analysis above identify any differential impacts which need to be addressed?	No.
Does the analysis above identify any potential negative impacts?	No.

Do you have enough information to make a judgement? If no, what information do you require?	Yes.

4. Equality Impact Assessment Action Plan

Please complete the following action plan where you have identified any differential impacts or potential negative impacts in Section 3 of the Equality Impact Assessment.

Impact Identified	Action to be taken	Owner	How will it be monitored	Date Action to be completed

5. Sign and Date

Signature:	[redacted]
Name:	Craig Walker.
Date:	8 October 2026.