

BRISTOL CITY COUNCIL

HR Committee

10th November 2011

Report of: Strategic Director: Corporate Services

Title: Improved Redeployment Scheme

Ward: City Wide

Officer Presenting Report: Mark Williams, Service Manager: Corporate HR

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RECOMMENDATION

Committee are asked to note the improvements that have been made to the redeployment scheme.

Summary

The report summarises the improvements and changes that have been made to the redeployment scheme. The report also highlights that the Council has now commissioned Penna as an external Job Search Support Partner.

The significant issues in the report are:

Improved support is available for employees who are at risk of dismissal on redundancy or ill health grounds.

Simpler procedures and clear guidelines for employees and managers.

1. Policy

Legislation requires that suitable alternative work is sought for employees at risk of redundancy. The revised redeployment scheme facilitates redeployment of displaced employees.

2. Consultation

2.1 Internal

Managers and employees who had experience of the redeployment process were consulted and their views sought on the improvements that needed to be made. There was universal support for improving the redeployment scheme from all stakeholders.

There was a period of extensive consultation with the Trade Unions before the new arrangements were introduced at the beginning of October 2011. Self Organised Groups were also consulted.

2.2 External

Not applicable

3. Context

- 3.1 The previous New Opportunities Procedure was lengthy, complex and not clearly cross-referenced to other HR policies. Also, the advice on pay protection arrangements was contained in a myriad of documents, with a resulting lack of clarity. The view of employees and managers who had experience of the previous redeployment scheme was that it was no longer fit for purpose.

Given the scale of change facing the organisation it is essential that there is a clear, simple and effective redeployment scheme. Above all, it was considered essential that the council provides better advice and support to employees who are at risk of dismissal on either redundancy or ill health grounds.

Key improvements

- Penna have been commissioned as our Job Search Support Partner. They are a reputable and well known company that provides a wide-range of in-placement and out-placement services to organisations across all sectors. As part of the commissioning process, trade union representatives also participated in the selection process. The service has been commissioned by utilising the existing corporate redeployment budget more efficiently at no additional cost.
- Penna provide an independent assessment of the transferable skills of each redeployee, which enables suitable alternative work to be identified more quickly. They also support, assist and advise

employees who are considering their wider career options e.g. employment with a different organisation, self-employment, starting up a business.

- The revised scheme provides clear milestones for employees and managers e.g. when to begin seeking suitable alternative work, when they will enter the redeployment scheme, when employment is terminated. There is also clear information regarding what constitutes suitable alternative work and when pay protection is applicable.
- The arrangements for fixed term employees who are redundant at the natural expiry of their contract have been made much clearer.
- Employees needing redeployment on medical grounds will only be offered permanent jobs. Previously they were offered fixed term employment which could potentially lead to redundancy.
- To maximise redeployment opportunities, all permanent employees at risk of redundancy will be provided with 12 weeks notice.
- Employees will be encouraged to be pro-active in their job search and will be supported to seek employment both internally and externally.
- Employees may also apply for jobs where the hours are significantly reduced from their previous substantive role. These posts may not be considered suitable alternative employment.
- Managers will be encouraged to make full use of trial periods, including arranging for extensions (in line with legislation) for training. The presumption in the new scheme is that where there is only one candidate for a job they will be appointed with a trial period.
- Employees entering the scheme are advised that they are required to co-operate with the process with the aim of securing suitable alternative work.
- Reasonable adjustments will continue to be made for disabled employees as appropriate.

4. Other Options Considered

- 4.1 Training and job search support to be provided solely in-house was considered. However, following the tendering process it was considered cost-effective and beneficial for job search support and signposting to be provided by an independent provider, as employees are being supported in external job search as well as internal.

5. Risk Assessment

- 5.1 Retaining the previous New Opportunities Procedure would continue to be labour-intensive, complex and time-consuming.
- 5.2 Providing all training and job search skills in-house would not offer the range of support for seeking work externally, exploring self-employment or other options for employees leaving the council.

6. Public Sector Equality Duties

- 6a) Before making a decision, section 149 Equality Act 2010 requires that each decision-maker considers the need to promote equality for persons with the following “protected characteristics”: age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, sexual orientation. Each decision-maker must, therefore, have due regard to the need to:
 - i) Eliminate discrimination, harassment, victimisation and any other conduct prohibited under the Equality Act 2010.
 - ii) Advance equality of opportunity between persons who share a relevant protected characteristic and those who do not share it. This involves having due regard, in particular, to the need to --
 - remove or minimise disadvantage suffered by persons who share a relevant protected characteristic;
 - take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of people who do not share it (in relation to disabled people, this includes, in particular, steps to take account of disabled persons' disabilities);
 - encourage persons who share a protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.
 - iii) Foster good relations between persons who share a relevant protected characteristic and those who do not share it. This involves having due regard, in particular, to the need to –
 - tackle prejudice; and
 - promote understanding.
- 6b) Good practice principles for selection continue to apply in redeployment scenarios e.g. the recruiting manager must not ask questions regarding

health, maternity etc. In addition guidance to managers and employees states that:-

- Necessary reasonable adjustments will be made for disabled employees.
- Relocation will be carefully considered when redeploying lone parents and those on low incomes.
- Relocation will also be carefully considered when redeploying BME and LGBT employees.

There should be a positive impact as:

- * The principles of fairness and transparency governing recruitment and selection will be applied to redeployment.
- * The Council wishes to increase diversity within the workforce and is working to ensure discrimination does not occur.
- * Monitoring will be undertaken.
- * Feedback is given to unsuccessful candidates upon request.

There is a comprehensive equalities impact assessment in place. The assessment will continue to be reviewed and amended as the impact of the revised scheme is evaluated and feedback is provided.

Legal and Resource Implications

Legal

The Report details the revised redeployment scheme. The scheme is in accordance with employment law legislation, specifically in relation to the Council's legal obligation to seek suitable alternative employment for employees who are otherwise at risk of redundancy.

Legal advice provided by Husinara Jones, Senior Practitioner.

Financial

(a) Revenue

No financial implications arising directly from this report.

(b) Capital

N/a

Financial advice provided by Stephen Skinner, Finance Business Partner Corporate Services and Deputy Chief Executive's Directorates

Land

Not applicable.

Personnel

As set out in the report

Appendices: None

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

Background Papers:

Equalities Impact Assessment