



Holy Trinity CE Primary School and Nursery

Redeployment Policy and Procedure

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1. INTRODUCTION

- 1.1 The Local Authority and schools have a collective responsibility to support the principles of redeployment and work towards retaining the valuable skills and experience of staff within schools.
- 1.2 This policy and procedure aim to create a process that enables Head teachers to consider appointing a member of staff from another school or within the Local Authority where redeployment is identified as being appropriate due to redundancy or for medical/disability reasons.
- 1.3 This policy and procedure will, therefore, be applied in conjunction with the school's Redundancy Policy and Procedure (in instances of redeployment due to redundancy) or the school's Attendance Management Policy (in instances of redeployment for medical/disability reasons).
- 1.4 Underpinning this policy and procedure therefore, is an agreement in principle between the Local Authority and schools that the interests of education in Dorset and good practice in employment are best served by a joint approach to the redeployment of staff.

2. SCOPE

- 2.1 This policy and procedure apply in full to all school based employees with the exception of employees serving a probationary period or staff employed on a fixed term contract of less than 12 months duration and those with less than one year's service (except in cases of redeployment arising as a result of disability where there is no qualifying period of service required).
- 2.2 This policy and procedure do not apply to employees who are simply seeking alternative employment, who will need to apply for posts in accordance with normal recruitment and selection procedures.
- 2.3 The policy has been drawn up by the Local Authority following consultation with the recognised trade unions and teachers' professional associations and is therefore recommended to all school Governing Bodies for adoption (in the case of school federations, it is recommended to the federation's Governing Body).
- 2.4 In respect of cases of redundancy, the extent of the redeployment search for those employees whose request for voluntary redundancy is accepted will be determined by the Chair of Governors/other relevant Governor(s) on behalf of the Governing Body, as advised by Human Resources and as outlined in section 5.4 below.
- 2.5 **The Local Authority will not accept liability for any actions, claims, losses or expenses arising out of a school's decision not to follow this recommended policy and procedure, where it is found that the school's Governing Body has acted in an unfair or discriminatory manner.**

3. POLICY STATEMENT

- 3.1 In accordance with this policy and procedure, the Local Authority and Holy Trinity CE Primary School and Nursery will seek to secure the redeployment of school based

employees, wherever practicable, whose posts are redundant or who are unable to continue in post for medical or disability reasons.

- 3.2 The Governing Body of Holy Trinity CE Primary School and Nursery will ensure that all displaced staff are given full and proper consideration for appropriate vacancies within this school and will work in collaboration with the Local Authority in seeking to redeploy employees to other schools and/or the Local Authority where agreed.
- 3.3 The Local Authority recognises its role as facilitator in encouraging schools to work together to support the principles of redeployment and will work proactively to promote a collaborative approach to the redeployment of staff between schools.
- 3.4 The redeployment activity will be managed by the Schools HR Employee Relations Team and support and guidance to Head teachers and employees will be provided in accordance with the redeployment procedure.
- 3.5 Salary protection arrangements will be applied, where appropriate, to employees who are redeployed on the grounds of redundancy in accordance with the salary protection policy at **Appendix A**.

4. RESPONSIBILITIES

- 4.1 The successful implementation of this policy and procedure is dependent on those with responsibilities understanding and fulfilling them as required.
- 4.2 **Appendix B** to this policy and procedure identifies those with responsibilities and the nature of them.

5. PRINCIPLES

5.1 General

- 5.1.1 The potential for redeployment will arise as an alternative to redundancy (where the school's Redundancy Policy and Procedure will have been implemented) or as the result of medical/disability reasons (where the school's Attendance Management Policy will have been followed).
- 5.1.2 It is likely that in respect of both cases, an HR Officer will have been involved from the outset and therefore be aware of the potential redeployment situation. However, where this is not the case, the school will ensure that an HR Officer is notified at the earliest opportunity, clearly setting out the circumstances. The appropriate HR Officer will then provide relevant advice and guidance throughout the procedure.
- 5.1.3 Employees have equal responsibility to play a proactive role in considering offers of suitable alternative employment and otherwise engaging in the process of redeployment within this school, another school or within the Local Authority where agreed.
- 5.1.4 In cases of potential redeployment for medical/disability reasons, redeployment will only take place with the medical advice of Occupational Health.
- 5.1.5 The school cannot indefinitely employ an employee whilst seeking redeployment opportunities and, therefore, the redeployment process will operate for the duration of the notice period of the employee.

5.2 Redeployment within the school

5.2.1 This policy and procedure do not reduce Holy Trinity CE Primary School and Nursery responsibility for ensuring the redundancy policy (in respect of redeployment an alternative to redundancy) or the management of attendance policy (in respect of redeployment as a result of medical/disability reasons) are applied appropriately.

5.2.2 Where any need for redeployment arises, the primary focus will be on securing suitable alternative employment within the school. Where no suitable post is available or is likely to be available in the foreseeable future within the school advice will be sought from HR as to how to proceed in line with the redeployment procedure detailed in section 7. At this stage the appropriate period of notice to which the member of staff is entitled will be served in accordance with the Redundancy Policy/Attendance Management Policy and efforts will be made to seek suitable alternative employment in another school or in a Local Authority post where agreed.

5.3 Redeployment between the school and another school or local authority post

5.3.1 Where notice is served, Holy Trinity CE Primary School and Nursery will ensure that the redeployment procedure as outlined in section 7 is instigated in order to make every effort to seek suitable alternative employment for the employee in another school or in a Local Authority post.

5.3.2 Redeployment opportunities will then be sought for the duration of the notice period.

5.3.3 Should no redeployment opportunity be found during the notice period, employment will be terminated at the end of the notice period.

5.4 Voluntary Redundancy and Redeployment

5.4.1 In a redundancy exercise, where an employee requests consideration for voluntary redundancy and this request is accepted, redeployment opportunities will also be sought as a means of avoiding redundancy.

5.4.2 The Chair of Governors/other relevant Governor(s) on behalf of the /Governing Body, as advised by HR will determine the extent of the redeployment search as part of the ongoing period of consultation in any redundancy exercise (Step 5 of the Redundancy Procedure).

5.4.3 The extent of the redeployment search will be determined by factors including those detailed at 5.8.2 below.

5.5 Advertising and Recruitment

5.5.1 The Governing Body of Holy Trinity CE Primary School and Nursery has the employment powers to determine who is appointed to the school in accordance with the school's Recruitment and Selection Policy and employment legislation.

5.5.2 In line with supporting the principles of redeployment, where redeployment of an employee becomes necessary, the school will give consideration to appointing the employee to any current or anticipated vacancies within the school if they meet the essential requirements of the post or would do so with the appropriate training over a reasonable timescale. This is with the exception of leadership group posts where there is a legal requirement to advertise nationally.

5.5.3 Where there are no appropriate vacancies, currently or arising in the foreseeable future within the school and where notice has been served (as outlined in section 5.3 above),

details of employees seeking redeployment will also be distributed to other schools and the Local Authority's redeployment officer, where agreed. Requests will be made for prior consideration to be given to interviewing those who meet the essential requirements of the post in advance of advertising on a wider basis or shortlisting other candidates where possible. Further information can be found in section 7.6.

5.6 Local Authority redeployment register

5.6.1 The Local Authority operates a redeployment register for all non-schools based staff whose posts are redundant, or for employees who are seeking redeployment for medical or disability reasons.

5.6.2 Depending on the appropriateness of each individual case, schools based staff may be placed on the Local Authority's redeployment register as agreed by the Head of Human Resources or their representative and in consultation with HR Employee Relations.

5.7 Time off for training and/or to seek alternative employment

5.7.1 An employee under notice of redundancy will be given a reasonable amount of paid time off during working hours for the purpose of seeking new employment or to make arrangements for training for future employment.

5.7.2 The employee must provide evidence to support such requests and reasonable notice of any time off required.

5.8 Suitable alternative work

5.8.1 Suitable alternative employment may be offered to an employee as an alternative to redundancy.

5.8.2 The factors which must be considered in determining whether a particular post provides suitable alternative employment include:

- relevance of an employee's skills, qualifications, competence and experience to the essential requirements of the post;
- salary difference between the original contract of employment and the alternative job offered;
- status of the position being offered and whether there is a potential loss of status;
- the employer/employee requirements in respect of contracted hours, patterns of work, geographical location and any other factors.

5.8.3 These factors will also be taken into account in determining the extent of the redeployment search on an individual case basis.

5.9 Refusal of offer of suitable alternative employment

5.9.1 If an employee rejects an offer of suitable alternative employment without good reason they may miss that opportunity of redeployment and lose any entitlement to a redundancy payment or other benefits. HR advice will be sought in respect of determining whether an offer of alternative employment is suitable.

5.9.2 An employee who fails to accept an offer of redeployment to a suitable alternative post within 10 working days of the offer being made in writing will be regarded as having refused the offer and may lose any entitlement to a redundancy payment or other benefits.

- 5.9.3 An employee who disagrees that a post which they are being offered is suitable alternative employment may ask for a review by the Chair of Governors/other relevant Governor(s) on behalf of the Governing Body. The request for a review must be made in writing to the Chair of Governors/other relevant Governor(s) on behalf of the Governing Body within 5 working days of the offer of alternative employment being made. Where such a request is made there must be a review within 10 working days of the request being received. At the review, the employee will have the right to make representations to the Chair of Governors/other relevant Governor(s) on behalf of the Governing Body, or their nominated representative, in person. The Chair of Governors/other relevant Governor(s) on behalf of the Governing Body will be advised by HR. The procedure followed will reflect the informal procedure in the school's grievance procedures (for teaching staff or non-teaching staff as appropriate). The timescale for the review can be varied by mutual agreement. Once the review has taken place, the result of the review must be confirmed in writing by the Chair of Governors/other relevant Governor(s) on behalf of the Governing Body within 10 working days.
- 5.9.4 If the employee is aggrieved following the review, they are entitled to raise a grievance in accordance with the formal procedure of the appropriate school's grievance procedures.
- 5.9.5 The Governing Body should ensure that HR advice is sought in respect of suitable alternative employment. The Local Authority reserves the right to only meet redundancy costs that can be objectively justified. Further information is contained in section 4.6 of the Redundancy Policy.

5.10 Trial Periods

- 5.10.1 Employees who are redeployed to an alternative post as a way of avoiding redundancy, are entitled to a minimum statutory trial period of four weeks. A minimum four week trial period will also be provided in the case of redeployment on other grounds.
- 5.10.2 A longer trial period may be agreed by mutual agreement between the relevant Head teacher (or manager in the case of redeployment to a Local Authority post) and the employee being redeployed. This may be appropriate where, for example, there is a training requirement that cannot be met within a four week period.
- 5.10.3 A trial period will be confirmed in writing in the offer letter to the employee.
- 5.10.4 Trial periods will be subject to regular documented review meetings by the relevant Head teacher and the employee being redeployed.
- 5.10.5 If during the trial period, the employee decides that they do not wish to continue in the new post, the reasons for this will be assessed by the Head teacher and HR Officer to ascertain if the objection is reasonable or not. If it is not deemed to be a reasonable objection, the Head teacher will make this clear to the employee, including alerting them to the fact that any entitlement to redundancy payment may cease.
- 5.10.6 If a trial period is not successful, provided the employee's notice has not expired, they will be placed back on the register of redeployees until the end of their notice period. Otherwise, if the notice period has expired, the employee's employment will be terminated. Where a trial period extends beyond the period of notice and is unsuccessful, the effective date of termination will revert to the original termination date.
- 5.10.7 If an employee works in a post beyond the end of the agreed trial period, they will be deemed to have accepted the new employment and any entitlement to a redundancy payment or related pension benefit in relation to the loss of the former post will be lost.

5.11 Funding of trial periods and retraining costs

5.11.1 During a trial period, salary costs will normally be paid by the school receiving the member of staff. If there is no immediate vacancy, the salary costs will be paid by the school making the employee redundant, if the trial period occurs during the employee's contractual notice period.

5.12 Salary protection and Excess Travel Entitlements

5.12.1 Where appropriate, employees are entitled to salary protection if they are redeployed as an alternative to redundancy within the school, to another school or Local Authority position, in accordance with the principles set out in section 6 of the Salary Protection Policy (Appendix A).

5.12.2 Where appropriate, employees are also entitled to excess travel costs if they are redeployed as an alternative to redundancy to another school or Local Authority position in accordance with the principles set out in section 6 of the Salary Protection policy (Appendix A).

5.12.3 There is no entitlement to protection for those being redeployed on medical or disability grounds.

5.13 Timescales

5.13.1 The school cannot indefinitely employ a member of staff whilst seeking redeployment opportunities and therefore the redeployment process will operate for the duration of the notice period only.

6. REVIEW

6.1 This redeployment policy and procedure will be monitored by the Local Authority to ensure consistency in practice and will be reviewed periodically to ensure that it meets the operational needs of the Local Authority and the school.

7. REDEPLOYMENT PROCEDURE

7.1 Step one – review current/anticipated vacancies within the school.

7.1.1 In the case of any potential redeployment, arising as an alternative to redundancy or medical/disability reasons, the Head teacher will review whether there are any suitable vacancies within the school currently available or arising in the foreseeable future.

7.1.2 Where a suitable vacancy is identified, this will be discussed with the employee who will then confirm whether or not they would be interested in the position. The employee should be advised to make contact with their trade union representative/professional association as appropriate.

7.1.3 If an employee indicates that they are interested in considering the post, the offer of employment should be confirmed as outlined in step 10 below. They will be also be entitled to a trial period as outlined in step 11 below.¹

7.1.4 In cases of potential redeployment as an alternative to redundancy, if an employee indicates that they are not interested in considering any vacancies within the school, HR advice will be sought to ascertain whether the post(s) are suitable alternatives as outlined in 5.9 above.

¹ This will not apply in respect of leadership group posts where there is a legal requirement to advertise nationally.

7.1.5 In cases of potential redeployment for medical/disability reasons, a full discussion will take place

7.1.6 Where there are no suitable vacancies within the school, the employee's notice will be served and matters progressed as detailed below from step two onwards.

7.2 Step two - contact link HR Officer.

7.2.1 In the case of redundancies, where no alternative posts are available within the school and dismissal notices are issued, redeployment opportunities will be sought as an alternative to redundancy.

7.2.2 At this point, the Head teacher will continue to liaise with the appropriate HR Officer to ensure redeployment opportunities are sought.

7.2.3 Equally, in instances where the Attendance Management procedure has been instigated, an employee is at risk of losing their job due to ill-health or disability and it has not been possible to find suitable alternative employment within the school, notice will be issued and the school will continue to liaise with the appropriate HR Officer to ensure redeployment opportunities elsewhere are sought.

7.2.4 From this point on and throughout the redeployment process, the HR Officer will work closely with the Head teacher to actively facilitate any possible trial periods/redeployment opportunities and will support the affected employee in seeking and applying for vacancies.

7.3 Step three - completion of the redeployment form

7.3.1 In advance of arranging a meeting with the employee at risk, the HR Officer will send the employee a redeployment application form to complete, setting out details of their main skills, experience and preferences with regards to alternative work e.g. type of role, location, hours of work, geographical flexibility, constraints and mobility details. A copy of the redeployment policy and procedure will also be enclosed for the employees' information (see appendices 1, 2 and 3 in the redeployment toolkit).

7.3.2 This redeployment application form will form the basis of the meeting under step 4 of this procedure and will enable the discussion to focus on the type of work the employee would be interested in and able to do.

7.4 Step four – meeting with the HR Officer

7.4.1 The HR Officer will contact the employee to arrange a mutually convenient place and time to meet to discuss the type of work the employee is seeking and what support could be offered to the member of staff in seeking alternative employment (see appendix 4 in the redeployment toolkit).

7.4.2 During this meeting, and at any other stage of the redeployment process (other than job interviews), employees will be entitled to be accompanied by a friend, colleague or trade union representative (but not in the capacity of a practising lawyer).

7.4.3 Any additional support that the employee might need in terms of guidance with application forms, interview practice and any other training/retraining requirements will also be discussed (see appendices 5, 6 and 7 in the redeployment toolkit).

- 7.4.4 The HR Officer will refer to any suitable vacancies that might be available at the time and give details on how to access information about future advertised vacancies.
- 7.4.5 The HR Officer will also provide advice about the process for actively facilitating any possible trial periods/redeployment opportunities, which would be with the member of staff's permission and as set out in step 5 of the procedure.
- 7.4.6 Discussion will also take place regarding the Local Authority's redeployment register and inclusion on this in accordance with the Local Authority's Redeployment Policy and Procedure. Where appropriate, the HR Officer will discuss this with the Local Authority redeployment officer.
- 7.4.7 The HR Officer will also set out the consequences of accepting and refusing a reasonable offer of alternative employment and will make clear that the search for redeployment opportunities will be time limited, beyond which if no suitable alternative has emerged, employment will be terminated.
- 7.4.8 The HR Officer will keep the Head teacher updated in respect of any developments and potential employment opportunities for the employee.
- 7.4.9 At this stage a decision will also be taken by the Chair of Governors/other relevant Governor(s) on behalf of the Governing Body, with advice from HR, as to the extent of the redeployment search for any members of staff who have requested consideration for voluntary redundancy and that has been accepted.

7.5 Step five - maintenance of redeployment register and record

- 7.5.1 Following the meeting under step 4 of the procedure, the HR Officer will send a final copy of the redeployment form to the employee for their records and request that a signed copy is returned. This is to ensure that both parties have agreed on the contents of the meeting (see appendix 3 in the redeployment toolkit).
- 7.5.2 At this point, the active redeployment process will begin. The HR Officer will maintain an electronic register of employees who are looking to be redeployed, which will contain information on their key skills, abilities, qualifications and experience (see appendix 8 in the redeployment toolkit).
- 7.5.3 In addition, an electronic record of redeployment activity will also be maintained by the HR Officer, setting out details of vacancies drawn to the notice of employees with dates and other relevant data, applications made and their outcomes (with reasons given where not successful). The record will also detail any assistance given such as guidance on applications/ interviews and coaching or other training provided (see appendix 8 in the redeployment toolkit).
- 7.5.4 Employees will remain on the redeployment register until such time that their notice period has expired.

7.6 Step six - circulation of details and prior consideration

- 7.6.1 With their consent, the details of employees on the redeployment list will be circulated to schools within the relevant geographical area, in anticipation of any current or future vacancies that might arise. This will be in the form of a summary showing the key skills, abilities, qualifications and experience of each employee (see appendix 9 in the redeployment toolkit).

- 7.6.2 Head teachers (managers in the case of Local Authority posts) will be asked to consider interviewing any employees on a priority basis who meet the essential requirements of any post in advance of advertising on a wider basis or shortlisting if there are any suitable vacancies within their schools. This is with the exception of leadership group posts where there is a legal requirement to advertise nationally.
- 7.6.3 If the Head teacher wishes to explore this option further, the HR Officer should be contacted as soon as possible and the details of the vacant post and requirements discussed in full.
- 7.6.4 Should agreement be reached that the employee's skills and experience meet the essential requirements of the post, the HR Officer will contact the relevant employee to discuss the full details of the post and liaise with the Head teacher to make arrangements for the employee to be interviewed by the school.
- 7.6.5 If the employee is not interested in being considered for an identified vacancy, the HR Officer will investigate why the post is not deemed suitable and make a note of the representations received on the redeployment record.
- 7.6.6 Dependent on the timescales, the redeployment process will either continue or a final decision will be made on whether the refusal of an offer of suitable alternative employment is reasonable, in accordance with 5.9 of the redeployment policy.

7.7 Step seven – advertising and matching process

- 7.7.1 Where a vacant post has been advertised by a school, without prior consideration being given to employees on the redeployment register, the HR Officer will check the vacancies against those employees on the register to determine whether there are any suitable matches.
- 7.7.2 In matching a vacancy to an employee on the redeployment register, consideration will be given to skills, qualifications and experience and requirements in respect of contracted hours, geographical location and any other constraints and/or reasonable adjustments which may be required.
- 7.7.3 If there are suitable posts, the HR Officer will circulate the vacancy details to the relevant employee (see appendix 10 in the redeployment toolkit).
- 7.7.4 If the employee is also on the Local Authority Redeployment Register, the Local Authority Redeployment Officer will circulate vacancy details of any potentially suitable Local Authority vacancies.

7.8 Step eight – recruitment process

- 7.8.1 If an employee is interested in being considered for one of the vacancies circulated, they should notify the HR Officer/ Local Authority Redeployment Officer as soon as possible, taking into account application deadlines.
- 7.8.2 The HR Officer/Local Authority Redeployment Officer will discuss any support that the employee might need with the application process and/or seek to facilitate an informal visit to the school during the normal working day.
- 7.8.3 The HR Officer/Local Authority Redeployment Officer will also speak to the Head teacher/manager to notify them that an employee on the redeployment register will be applying for the vacant post, providing details of their name and brief outline skills, experience.

7.8.4 Providing that the member of staff meets the essential criteria for the vacant post, the Head teacher/manager may invite the employee to interview, with selection being made purely on the most suitable candidate for the post.

7.9 Step nine – time off to seek alternative employment

7.9.1 The Head teacher of Holy Trinity CE Primary School and Nursery will ensure that employees under notice of redundancy are given a reasonable amount of paid time off during their normal working hours to seek alternative employment, or make arrangements for training necessary for future employment, where requested.

7.10 Step ten - offers of alternative employment

7.10.1 Should an employee be successful in being appointed to a suitable alternative post (as an outcome to steps 6 and 8 of the redeployment policy and procedure), the offer of employment will be confirmed in writing before the current contract expires (see appendix 11 in the redeployment toolkit).

7.10.2 In cases of redeployment on medical or disability grounds, confirmation will be sought from the Local Authority Occupational Health Adviser that the proposed alternative employment is suitable for the employee, before the offer of employment is made.

7.10.3 The offer letter will set out the arrangements for a trial period (minimum 4 weeks) and will advise the employee that if they work beyond the end of the trial period, they will be deemed to have accepted the new employment.

7.10.4 The letter will also detail any salary protection arrangements (in accordance with Appendix A of the redeployment policy and procedure) and confirm the employee's employment position should the trial period be unsuccessful.

7.10.5 The employee must reply in writing within 10 working days, to accept or reject the offer. An employee who fails to accept an offer of redeployment to a suitable alternative post within this time period will be automatically regarded as having refused the offer.

7.11 Step eleven - trial periods

7.11.1 The Head teacher of Holy Trinity CE Primary School and Nursery will regularly monitor and review the progress of any redeployees during an agreed trial period, using the progress review form for this purpose (see appendix 12 in the redeployment toolkit).

7.11.2 Where a trial period proves to be unsuccessful at any stage, an assessment as to the reasons will be undertaken by the Head teacher, the employee and the HR Officer, to identify and agree a way forward.

7.11.3 Where an employee, following a trial period, confirms that they do not wish to accept an offer of alternative employment as they do not consider the post to be suitable, an assessment will be undertaken by the Head teacher and HR Officer to determine whether the post is regarded as a suitable alternative offer of employment.

7.12 Step twelve - termination of employment

7.12.1 Whilst every reasonable effort will be made to successfully redeploy an employee, there will be occasions where it is not possible to find a suitable alternative post for employees before

the end of their contractual notice period or where redeployment fails. In these circumstances there will be no alternative to terminating the employee's contract of employment on the appropriate grounds.

7.13 Step thirteen – right of appeal

7.13.1 Where an employee believes that the redeployment policy and procedure has not been applied appropriately or where they disagree that a post is suitable alternative employment, they may raise a grievance in accordance with the school's grievance procedures and as further outlined in 5.9.3 above.

<SCHOOL NAME>

SALARY PROTECTION POLICY

1. SCOPE

- 1.1 This salary protection policy applies to all school based employees where redeployment arises as an alternative to redundancy.

2. POLICY STATEMENT

- 2.1 Salary protection in accordance with this policy will be applied to teachers in accordance with the provisions as set out in the relevant School Teachers Pay and Conditions Document (STPCD) and as highlighted in 3 below.
- 2.2 Salary protection will be applied to support staff in accordance with the salary protection arrangements provided for Local Authority based Green Book staff and as highlighted in 4 below.
- 2.3 Salary protection for support staff as set out in this policy will apply to an employee whose post becomes redundant and who is redeployed to a post at a lower grade within a school or between schools OR an employee who is subject to reorganisation leading to a reduction in the substantive grade of their post within the school.
- 2.4 Salary protection will not be applied in circumstances where employees are redeployed on medical/disability grounds or as a result of formal action taken in respect of the Disciplinary, Capability or Fairness and Dignity at Work Policy and Procedure.
- 2.5 In applying this policy, a key principle will be that no employee should have an increase in income as a result of the application of salary protection.

3. TEACHING STAFF

3.1 Redeployment between schools

- 3.1.1 The STPCD provides for 'general safeguarding' (pay protection) where a teacher loses their post as a result of:
- (a) the discontinuance of a school; or
 - (b) a prescribed alteration to, or the reorganisation of a school.
- 3.1.2 This general safeguarding applies where a teacher takes up a new post with the same authority, or at a school maintained by the same authority, including a new post in a different school.
- 3.1.3 General safeguarding applies where the teacher's pay in the new post is lower than the old post. The safeguarded sum(s) are calculated on the basis of the difference between the pay (including any allowances) that the teacher was on before he/she lost his/her post and the value of the revised pay (again including allowances) in the new post. As these safeguarded sums are cash protected they are not increased in line with annual pay increases.

3.1.4 Safeguarding for teachers is applied on a mandatory basis, for a fixed term period not exceeding three years in accordance with the safeguarding rules incorporated into the STPCD current at the time.

3.1.5 Payment of general safeguarded sum(s) will cease at the earliest of the following in accordance with the STPCD:

- the third anniversary of the date on which the teacher starts work in the new post;
- the teacher moves to a different pay scale or pay spine, except in the case of a move from the main pay scale to the upper pay scale, or where school restructuring causes a member of the leadership group or an Advanced Skills Teacher to be moved to a different pay scale;
- the teacher moves to a higher point on their pay scale or pay spine resulting in an increase in salary equalling or exceeding the value of the safeguarded sum(s), in which case payment of the relevant sum(s) must cease;
- the teacher leaves the school, except in the case where general safeguarding applies;
- where the teacher is receiving more than a total of £500 of safeguarding, if the teacher unreasonably refuses to carry out any additional duties that are appropriate and commensurate with the safeguarded allowance and that are assigned to them for the duration of the safeguarding period.

3.2 Redeployment within schools

3.2.1 The STPCD also provides for safeguarding where the governing body determines, as a result of a change to its pay policy or to the school's staffing structure, to:

(a) reduce the number of members of the leadership group;

(b) end the designation of one or more advanced skills teachers' posts;

(c) end the designation of one or more excellent skills teachers' posts;

3.2.2 Payment of such safeguarded sums will cease in accordance with provisions set out in the School Teachers' Pay and Conditions Document (STPCD).

4. SUPPORT STAFF

4.1 For all school based employees within the purview of the Green Book terms and conditions of service, salary protection will be limited to a maximum of two Dorset Grades.

4.2 When salary protection is applied, an employee will have their substantive pay frozen (cash protected) at their current rate of pay i.e. with no pay award increases or incremental progression, from the actual date of redeployment to a new post (excluding any trial period which falls within the notice period).

4.3 The protection will continue at that level for a period of 18 months or until the frozen salary is equal to or overtaken by the maximum spinal column point of the new grade, whichever is the sooner. Thereafter salary will be the maximum spinal column point of the new grade.

4.4 Should a second period of grade salary protection become necessary during the original grade protection period, the original period will continue to the end at which point the new protection arrangements will apply for the remainder of the second protection period.

4.5 Salary protection can be applied either to grade and/or allowances /enhancements (see paragraphs below).

- 4.6 If an employee in receipt of salary protection successfully applies for a promotion post within another school or the Local Authority following redeployment, then the provisions of the school's/ Local Authority's Recruitment and Selection Policy will apply.
- 4.7 This means that appointment will normally be to the minimum point of the new grade or the next SCP within the grade which is above the personally protected SCP, whichever is the higher. If the maximum SCP of the new grade is lower than the protected salary, ongoing salary protection will continue until the end of the original 18 month protection period. Please see the example below:-

Salary prior to redundancy	Grade 8 SCP 27
Redeployment to substantive post	Grade 6 SCP 20
Frozen salary protection	SCP 27
Successful application for promotion	Grade 7 SCP 23

Frozen salary protection at SCP 27 applies until the end of the original 18 month period after which SCP 23 (with pay awards etc) will apply.

- 4.8 If an employee in receipt of salary protection later decides to apply for a post at the same grade or a lower grade than their substantive post, if appointed, entitlement to salary protection will cease with effect from the start date in the new post.
- 4.9 If an employee is employed on a part time or part year basis, salary protection upon redeployment to an alternative post will be limited to the original contractual salary based on the original hours worked. Overtime, additional contracted hours and temporary additional hours will be paid at the substantive rate for the new post.
- 4.10 Subject to paragraph 2.5 above, other payments, unrelated to grade, could also be provided with protection for a 12 month period (up to 100%) based on payments made in the previous 12 month period. This will be referred to as allowance/enhancement protection. It will be agreed only in cases where **all** of the following apply:
- Where there is a complete cessation of the activity which attracted the allowance /enhancement as a result of redeployment into an alternative post due to redundancy or where an employee is subject to reorganisation; and
 - Where such payments formed a regular part of an employee's take home pay due to there being a requirement to perform a certain duty as an ongoing part of their role; and
 - Where the activity or duty was not undertaken on a purely voluntary basis; and
 - Where such payments equate to 10% or more of the employee's basic contractual pay.

5. DORSET TRAVEL SCHEME

- 5.1 The Dorset travel scheme allows for payment of an excess travel allowance to staff who have a permanent change to their centre of duty, for various reasons, including redeployment as an alternative to redundancy. The allowance continues for a period of up

to 4 years and is payable where the costs incurred by the employee exceed a pre-determined level.

6. FUNDING OF SALARY PROTECTION AND EXCESS TRAVEL COSTS

- 6.1 Salary protection costs as a result of redeployment between schools as an alternative to redundancy will be met by the schools' contingency fund on the following basis:

Year 1: 100% of costs funded from the schools' contingency budget;

Year 2: 100% of costs funded from the schools' contingency budget;

Year 3: 50% of costs funded from the schools' contingency budget and 50% from the school's budget (receiving school's budget in cases of redeployment between schools).

- 6.2 Salary protection costs arising as a result of redeployment within a school as an alternative to redundancy will be met by the school.

- 6.3 Excess travel costs as a result of redeployment between schools as an alternative to redundancy will be met by the schools' contingency fund on the following basis:

Year 1: 100% of costs funded from the schools' contingency budget;

Year 2: 100% of costs funded from the schools' contingency budget;

Year 3: 50% of costs funded from the schools' contingency budget and 50% from the receiving school's budget;

Year 4: 100% of costs funded from the receiving school's budget.

APPENDIX A - RESPONSIBILITIES

1. Governing Body

- 1.1 There is a legal obligation on all governing bodies to consider redeployment opportunities for members of staff whose posts are at risk of redundancy or who are no longer able to remain in their substantive post for some other reason.
- 1.2 Where Governing Body members are involved in interviewing staff there is a requirement for them to consider interviewing a redeployee who meets the minimum requirements for a vacant post and to consider members of staff on the redeployment register prior to advertising any vacancies.

2 Head teachers

- 2.1 Head teachers have a responsibility to ensure that all relevant staff are aware of the redeployment policy and procedure and that the HR Officer is alerted when redeployment support is required.

- 2.2 Where redeployees meet the minimum requirements for a vacant post, there is a requirement for head teachers to consider interviewing the member of staff. Head teachers will also give serious consideration to considering members of staff on the redeployment register prior to advertising any vacancies.
- 2.3 Head teachers also have a responsibility to provide reasonable paid time off work for employees to visit other schools and attend selection interviews, as well as provide written references promptly to other schools on behalf of members of staff who are being considered for alternative employment.

3 Employees

- 3.1 Members of staff who are seeking redeployment will be required to support the principles of this policy and be prepared to take a positive approach to the process and in considering alternative employment proposals.

4 Local Authority

- 4.1 The Local Authority will work closely with the head teacher and Governing Body to encourage and support schools to take a collaborative approach to the redeployment of staff.
- 4.2 The Local Authority will also be responsible for monitoring the number and progress of redeployment cases, providing support to Head teachers and members of staff on a case by case basis and making final decisions, as delegated, on what is deemed to be suitable alternative employment and the level of financial package due to schools in some circumstances.

APPENDIX B - RESPONSIBILITIES

1. Governing Body

- 1.1 There is a legal obligation on all governing bodies to consider redeployment opportunities for members of staff whose posts are at risk of redundancy or who are no longer able to remain in their substantive post for some other reason.
- 1.2 Where Governing Body members are involved in interviewing staff there is a requirement for them to consider interviewing a redeployee who meets the minimum requirements for a vacant post and to consider members of staff on the redeployment register prior to advertising any vacancies.

2 Head teachers

- 2.1 Head teachers have a responsibility to ensure that all relevant staff are aware of the redeployment policy and procedure and that the HR Officer is alerted when redeployment support is required.

- 2.2 Where redeployees meet the minimum requirements for a vacant post, there is a requirement for Head teachers to consider interviewing the member of staff. Head teachers will also give serious consideration to considering members of staff on the redeployment register prior to advertising any vacancies.
- 2.3 Head teachers also have a responsibility to provide reasonable paid time off work for employees to visit other schools and attend selection interviews, as well as provide written references promptly to other schools on behalf of members of staff who are being considered for alternative employment.

3 Employees

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- 4.2 The Local Authority will also be responsible for monitoring the number and progress of redeployment cases, providing support to Head teachers and members of staff on a case by case basis and making final decisions, as delegated, on what is deemed to be suitable alternative employment and the level of financial package due to schools in some circumstances.