

THE SCHOOL OF ORIENTAL AND AFRICAN STUDIES

Redeployment Policy

1. Overview

1.1 The School is committed to be a good employer and as the School transforms and adapts to change, it wants to ensure the interests and concerns of employees are well managed.

1.2 Although the School is not legally obliged to provide one, the SOAS Redeployment Policy provides a collegiate approach across the School that will help to ensure that best endeavours are used to help surplus staff avoid redundancy for those who want to continue their careers at SOAS.

1.3 This policy should be read in conjunction with the School's Management of Reorganisation and Change Policy; the School's Policy on the employment of fixed-term staff; the School's Redundancy Policy; and any Voluntary Severance/Early Retirement schemes extant at the time.

1.4 This policy lays down guidelines for the School's management in respect of the requirement to seek to identify suitable alternative employment for surplus School employees whose jobs are being made redundant as a result of reorganisation and change management proposals.

1.5 This Policy and the Redeployment Procedure were discussed with School's recognised trade unions, UCU and UNISON, at various meetings from July 2010 although not agreed with them. The School's Executive Board approved a version of this policy (and the procedure) on 22 November 2010 and subsequently approved this version of the policy (and the procedure) on 20 June 2011.

2. Redeployment across the School

2.1 The School's management endeavours to avoid compulsory redundancies. However, in the event that circumstances change and the result is that fewer employees are needed to carry out some or all of the work required by the School, then it may become necessary for posts to be lost. In such circumstances, the School will try and reduce posts via voluntary severance/early retirement and natural wastage where possible before compulsory redundancy is considered as a last resort.

2.2 If it should become necessary for the School to consider redundancies, the School's management will notify employees at risk and trade unions at the earliest possible opportunity of the reason(s) for the potential redundancy situation and its proposals (see section 2 of the Redeployment Procedure). Following consultation under the School's Management of Reorganisation and Change Policy, and once the need for compulsory redundancy has been confirmed, the School through the HR Directorate will, as soon as possible, seek any alternative vacancies within the School available at the time that may be suitable for those employees who have been selected for redundancy.

2.3 The School's management will also, as part of the process of seeking to redeploy those whose jobs have been declared redundant, continue to post all vacancies on the School's jobs iGrasp web recruitment web site (or any similar system which may be in use at the time). For an agreed period of **ten** working days the School will only consider applications from internal candidates before any job is advertised externally.

2.4 The School recognises that redeployment into a different role or discipline constitutes a change to an individual's contractual terms of employment and therefore cannot be implemented without his or her consent.

3. Available alternative positions within the School's employment

3.1 The School aims to ensure that all staff subject to redeployment are treated in a fair and consistent manner and in accordance with relevant employment legislation.

3.2 Where the School's management believes that an available alternative position may be suitable for a particular employee or where an employee has expressed an interest in an advertised position, the employee will be interviewed as a redeployee as long as they are able to demonstrate they meet the criteria set out at section 4.2 of the Redeployment Procedure (which could be varied from time-to-time) which is used to determine the suitability of alternative employment at SOAS. The criteria take into account the following principles:

- The nature of the work (e.g. Language Specialist)
- Grade
- Level of responsibility relative to previous role
- Working arrangements (i.e. hours/pattern of work)
- The qualifications, skills and experience required to carry out the work

The above principles are not intended to be exhaustive and the School's Executive Board reserves the right to vary the principles and criteria from time-to-time.

3.3 Redeployment opportunities will be restricted to posts at the employee's commensurate grade, although posts at a lower grade will be presented where appropriate or where the individual has requested. *Although there is no legal obligation on the School to provide pay protection to employees who may take up a redeployment opportunity, where a lower grade opportunity is accepted, the employee's salary would be adjusted to the lower salary band after a period of 3 month's continuous service in the redeployment post.*

3.4. The key purpose of the interview will be to establish whether or not the position is suitable for the redeployee, taking into account the person's background, grade, skills and type/level of experience, as well as the terms and conditions applicable to the post in question and its location.

3.5. Where a redundant employee is considered for an available alternative position, the interview panel reserves the right to make the final decision as to whether or not to offer the employee that position.

3.6. If an offer of suitable alternative employment is made, but the employee unreasonably refuses to accept it, under the terms of s.141 of the Employee Rights

Act 1996, sub-section (4) (c), the employee would lose his/her right to a statutory redundancy payment.

3.7. However, if it is accepted that the alternative employment offered is not entirely suitable for the employee and/or the employee's refusal of the offer is reasonable in the circumstances, he/she will be treated as having been dismissed by reason of redundancy on the date that his/her original job came to an end. In these circumstances, the employee will retain the right to a statutory redundancy payment.

4. Trial period

4.1 Where alternative employment is offered and accepted in a redundancy situation, it is the School's policy to operate a trial period of up to a maximum of **three months** in the new post. The statutory period for a redeployment trial is four weeks but in the event it is felt that a longer period is required, normally for training to be undertaken, this time period may be extended by written agreement by the School's management before the start of the trial period.

4.2 The trial period enables both the employee and the School through the new line manager to assess whether or not the post is genuinely suitable for the employee. The School's management reserves the right to make the final decision on this matter, although the views of the employee will be taken into account. An appeals process will not be available.

4.3 In the event that the School decides to terminate the employee's employment at the end of the trial period the employee will retain the right to a statutory redundancy payment.

4.4 The relevant date for the purposes of calculating redundancy pay in these circumstances will be the date on which the employee's original job ended (and not the date that marked the end of the trial period).

5. Contract Law issues

This policy is discretionary and it has no contractual force regardless of whether it has been applied to School employees on previous occasions.

6. Equality and Diversity

6.1 This policy and procedure should be carried out with due regard to any diversity issues which may have affected either the original situation or the current process.

6.2 The School's Diversity Adviser and diversity specialists within the HR Directorate are available to support colleagues in this area. Where a diversity issue (e.g. a disability including chronic physical or mental health conditions) has been disclosed to the School, whether prior to the situation which triggered this process or during the process, the line manager co-ordinating the process is responsible for checking with the employee to determine their needs and for making the appropriate arrangements.

6.3 Employees who have not previously disclosed a diversity issue which may be relevant to this process are encouraged to do so, as early as possible, so that it can be taken into account.

7. Approval

7.1 This policy was discussed with the School recognised trade unions, UCU and UNISON at various meetings from July 2010 although it was not agreed with them.

7.2 The School's Executive Board approved a version of the policy on 22 November 2010 and subsequently approved this version of the policy on 20 June 2011.

**HR Directorate
February 2012**