



## Redeployment Guidance for Recruiters

### 1. Purpose

The University is legally obliged to seek to redeploy staff who are at risk of redundancy. It also has a duty to look to redeploy those who are unable to continue in their current role for health reasons or on grounds of their disability. This document sets out what recruiting managers must do in support of these aims.

### 2. Scope

This guidance relates to your responsibilities regarding the redeployment of staff who:

- a) have been placed 'at risk' of redundancy, or
- b) need a change of role for reasons related to their health, or
- c) have a disability and need a change of role as a reasonable adjustment.

This guidance does not apply to vacant roles where it is a condition of funding that a specified individual (e.g. a 'named researcher') is appointed.

**Note:** you may not be able to offer redeployment to an employee who has time-limited or restricted right to work in the UK as their existing visa may not allow them to transfer to another role in the University. If you are considering such an individual you must contact your HR Partner for advice.

### 3. Context

#### 3.1 Redeployment as an alternative to redundancy

The University has a legal obligation to seek to mitigate the need for compulsory redundancies. A key component in meeting this obligation is to redeploy at risk staff to suitable alternative jobs in the University, where such exist.

The University also wishes to retain experienced employees whose skills continue to be of value to its strategy and goals, and to avoid the redundancy costs and the costs and time involved in handling appeals against redundancy or tribunal claims for unfair dismissal.

An at-risk employee's details will be held on the Redeployment Register until their expected employment end date at which point, they will be removed by HR.

### 3.2 Additional redundancy protection for pregnant employees and employees on family leave

Additional redundancy protection extends to pregnant employees and those employees on, or recently returned from family leave. Family leave includes maternity, adoption, surrogacy or shared parental leave. Employees under family leave redundancy 'priority status', who meet the essential criteria, must be offered a suitable alternative vacancy before another 'at risk' employee. The employee does not need to apply for a suitable alternative vacancy, go through a selection process or compete with other at risk employees except if there are other at risk employees who are also on family leave. You should seek advice from your HR Partner when considering such an employee for a vacancy.

An 'at-risk – family leave' employee's details will be held on the Redeployment Register until their family leave redundancy protection end date.

### **3.3 Redeployment for health or disability reasons**

Staff may also be seeking redeployment when they can no longer carry out their current job on grounds of either their health or a disability. In such circumstances, the University has obligations comparable to redundancy and must redeploy where a suitable job is available.

Such staff will also be classed as 'at risk' on the Redeployment Register. Their details will be held for a maximum of six months from the effective date given by HR.

As the circumstances will be specific to the individual, you should ensure you seek advice from your HR Partner when considering such a member of staff for a vacant role.

#### **4. Recruiting manager responsibilities**

The legal obligation on employers to mitigate compulsory redundancy means that the University – through its recruiting managers - must give priority to staff at risk of redundancy for work which would be deemed to be a suitable alternative to redundancy.

As a general guide, this would be a role which the employee could reasonably be expected to do given its similarity to the role from which they are to be made redundant. This similarity will be in terms of job purpose, duties, level of responsibility, skills and knowledge and terms and conditions of employment, for example salary, hours and/or location. It will normally be a role at the same grade but could be one grade lower.

We must also give staff at risk priority consideration for a job that is 'alternative employment' and for which a trial period is needed to fully assess its suitability. As a guide this would be a role which differs to an employee's current role in terms of purpose, duties, level of responsibility and skills and knowledge; it may or may not be different in grade and associated terms and conditions of employment.

Roles classed as 'suitable alternative employment' or 'alternative employment' should be offered to staff at risk if they have the knowledge, skills and competencies required.

Where staff may need additional training to do the job, consideration should be given to the nature, cost and length of the training required and this should be assessed against the requirement to get the job done.

For some roles it will remain essential to assess candidates through open, external competition (see 5.2.1 below). However, for others, our responsibility to existing staff justifies restricting vacancies solely to those seeking redeployment.

You therefore have a responsibility for ensuring that the University meets its obligations to redeploy staff by considering them for jobs for which they have the required knowledge, skills and competencies, and by appointing them in preference to other applicants.

In the event of an appeal or employment tribunal claim (for unfair dismissal), you would be required to justify your decision not to appoint a member of staff facing redundancy.

More detail on how to uphold this responsibility can be found in section 5.2 below.

Although the University does not have an obligation to redeploy staff to jobs with a significantly greater 'package', i.e. to a higher grade, you are encouraged to interview at-risk staff if they appear to meet the essential knowledge, skills and competencies required for the job.

Those who demonstrate the essential knowledge, skills and competencies during the interview process should be appointed.

Please be aware that right to work checks are not required as the employee has already demonstrated their right to work in the UK when first employed by the University. However, it is important that you liaise with the HR Helpline to obtain confirmation that a valid check is present on the file and the individual does not have a visa which restricts the change in employment. If any such restriction exists, you must contact your HR Partner for advice.

## **5. Recruitment, Selection and Appointment**

### **5.1 Essential Requirements**

Before recruiting to any vacancy, you should identify the knowledge, skills, competencies and qualifications that are necessary and sufficient to carry out the job. These should be specified in the job description/person specification as Essential Requirements/Criteria. This should be written clearly and carefully to describe all that is required to carry out the job to a satisfactory standard. You are responsible for ensuring that all the essential requirements for the role are made clear.

### **5.2 Recruitment Process**

Staff at risk are invited to add their names to a Redeployment Register from which recruiters should seek to fill their vacancies. This is expected to have the dual advantages of redeploying staff at risk and of appointing high quality and experienced staff without the time and cost of advertising.

**Note:** You must continue to check the Register to ensure you do not overlook staff who have added their details since you advertised your vacancy.

It is recognised that there will be instances where it is essential to appoint the best available candidate and/or someone at the forefront of their field. For example, when this is a requirement of funding bodies and/or the role requires very specific skills and experience. In such circumstances external advertising will be required at the outset.

In these circumstances, although you will still need to search the redeployment register, and may decide to interview an at-risk employee, you do not have to give priority to an 'at risk' applicant if they are not the best candidate for the role.

Sections 5.2.1 and 5.2.2 below set out the different processes to be followed, depending on whether or not external competition is required.

### 5.2.1 All vacancies

(except senior Grade 9 and 10 or highly specialist Grade 8, and equivalent roles)

#### a. Review the Redeployment Register

Once you have approval to recruit, and before advertising your vacancy, you **must** consider the candidates on the [Redeployment Register](#) . Further guidance on using the Redeployment Register is available [here](#).

Please refer to the [Redundancy Policy](#) or the [Policy on Ending Fixed-Term Contracts and Restricted Funding Contracts](#) for further information.

If, from the summary information provided, an at-risk employee appears to meet the essential requirements for the role, you should request a copy of their CV from the HR Redeployment team ([redeployment@ed.ac.uk](mailto:redeployment@ed.ac.uk)). You should then consider their details and decide if they meet the essential requirements or not.

You must keep a record of the basis of your search of the register, e.g. the terms you used to identify those who may meet the essential criteria, and complete the Candidate Record for those whose CV you have requested.

Please take particular care to record your reasons for not taking forward an at risk employee who meets the essential requirements.

**Note:** to ensure a fair and objective process, you must not seek any information regarding an employee at risk of redundancy from their current manager or from HR. If you are considering an employee who is seeking redeployment on health/disability grounds or pregnant and/or on family leave, please speak to your HR Partner before contacting the employee.

#### b. Contact at-risk employees

Having decided that someone at risk appears to meet the essential requirements, you should contact them and ask if they are interested in your vacancy. If they are you will need to send them the job description and advise them if they need to provide an application statement detailing how they meet the essential requirements of the role.

If they are not interested, you should record this on the Candidate Record. If they are interested you should invite them for interview (please also consider Section 3.2 if applicable). If you will be interviewing more than one employee who is at risk, you must let them all know that they will be competing for the job via interview.

If there are no suitable candidates, you can proceed to advertise the vacancy.

You must however refer back to the Redeployment Register at the following stages of the recruitment process:

- At shortlisting and before inviting candidates to interview, and
- Post interviewing and before making an offer of employment.

This will ensure that you give full opportunity to all staff who were placed at risk and registered their details on the Redeployment Register after you advertised your vacancy.

### **c. Interview Process**

Where possible, all at risk candidates should be interviewed prior to others, in order to avoid wasting the time of others. However, if interview arrangements are already in place, they should be interviewed alongside other candidates.

Either way, staff at risk must be given priority over other candidates and must be offered the job if they demonstrate they meet the essential criteria at interview.

If you are interviewing more than one at risk candidate, you will need to decide who to appoint based on their performance at interview.

**Note:** Please talk to your HR Partner if you decide not to appoint the only at risk employee interviewed. You will also need to record your reasons on the Candidate Record. Please bear in mind that these should reflect the feedback you will give to the at-risk employee.

### **5.2.2 Senior Grade 9 and 10 appointments or highly specialist Grade UE08 roles**

Senior appointments, normally at Grades UE09 and UE10, or equivalent, or highly specialist Grade UE08 roles, or equivalent, can be advertised externally if they:

- require very specific skills and experience, or
- are critical to the University achieving its strategic aims, meaning an individual at the forefront of their field needs to be recruited.

Examples of these are as follows:

Research/academic roles: where research is a significant part of the role, and is expected to be at a level that is furthering the research achievements of the academic area. It will generally be an essential requirement of the job that the appointee is a leader in/at the forefront of their field.

'Business critical' roles: most likely to be non-academic jobs where the post-holder's performance, and therefore their experience and skills are critical to the success or further development of a key business/functional area.

In these circumstances, although you need to search the redeployment register and may decide to interview an at risk employee, you do not have to give priority to an at risk employee if they are not the best candidate i.e. they have not demonstrated leadership in their field of expertise.



### **5.2.3 People and Money Job Applications from Candidates ‘At Risk’**

At risk employees can also directly apply for vacancies through the University’s jobs website and they should denote this status on their application form.

When your vacancy closes, you should review the applications to identify any ‘at risk’ applicants and follow the relevant processes as detailed in Sections 3.2, 5.2.1 b. and c. above.

### **5.3 Suitable alternative, alternative employment and trial period**

If you decide to offer an at risk employee your role, you will need to determine if this is as a ‘suitable alternative’ or ‘alternative’ to redundancy. You will need to contact your HR Partner to discuss the terms associated with your offer, including any trial period.

Please refer to the [Redundancy Policy](#) or the [Policy on Ending Fixed-Term Contracts and Restricted Funding Contracts](#) for definitions of suitable alternative employment, alternative employment and the operation of trial periods.

As you would do with any internal appointment you will need to put in place appropriate induction. If subject to a four-week trial period you will also need to set clear objectives against which both you and the at risk employee can assess the suitability of the role as an alternative to redundancy.

### **5.4 Appointing an ‘At Risk’ Candidate**

If you decide to offer a role to an employee on the Redeployment Register, and they accept the offer, you should follow the normal process in People and Money for appointing internal hires. Further information on appointing internal candidates is detailed in the [Guide to Recruitment and Onboarding](#).

### **5.5 Notification to unsuccessful staff**

All at risk candidates must be notified of the outcome of their interview.

Feedback provided, either within the outcome letter or in response to a request, must clearly indicate how they did not meet the essential requirements for the job (or if they did, explain that another at risk candidate was appointed).

There can be a natural tendency to soften the feedback. However, it should be borne in mind that, unless another at risk member of staff has been appointed, staff at risk can only be rejected due to failing to meet the essential requirements (which may include the requirement to be at the forefront of/a leader in a specified field). It is therefore important to be clear about how they did not meet those criteria in as objective terms as possible.

## **6. Further information**

For general advice on recruitment, see the Recruitment pages at: [Recruitment Guidance](#)

## **7. Document history and review**

This guidance was issued by Human Resources on 1 October 2016. It was reviewed as part of the Redeployment Register update and minor revisions were made in November 2018. Minor revision to section two was made in June 2019. Minor revisions to web links were made in January 2021. Revisions were made in August 2021 to align with the Redundancy Policy and Policy on Ending Fixed Term Contracts and Restricted Funding Contracts, effective 1 August 2021. In March 2023, the link to the Redeployment Register was updated. In October 2023, section 5.4 was added on appointing a candidate from the Redeployment Register. In April 2024, Section 3.2 was added on extension to additional redundancy protection rights for pregnant and family leave employees.