

Draft Guidance: Redeployment – By reason of sickness, disability or other medical reason

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Redeployment Guidance – By reason of sickness, disability or other medical reason

1. Introduction

- 1.1 This guidance outlines Liverpool Hope University's approach to redeploying employees who are unable to continue in their current role due to ill health. It ensures compliance with the Equality Act 2010, provides a structured framework for supporting affected employees, and promotes fairness and consistency in decision-making.
- 1.2 An effective redeployment facilitates the retention of valuable skills and experience within the University. It contributes to a positive working environment and meets the University's moral and legal obligations whilst ensuring that the University continues to recruit new skills and talent to retain its competitive edge in the Higher Education sector.
- 1.3 This guidance outlines the circumstances in which redeployment for employees within the University will be considered. In this context, redeployment within this guidance means the same as "suitable alternative work". Redeployment may be on a temporary or permanent basis.
- 1.4 All managers should accept responsibility for University employees and make every effort to respond positively to employees who are subject to redeployment.

2. Application of Guidance

- 2.1 Within the scope of this guidance, the University recognises its duty in seeking suitable alternative work for those employees in the following circumstances:
 - By reason of disability or other medical reason (e.g., the employee is no longer able to continue in their current role despite the implementation or exploration of reasonable adjustments to the role).
- 2.2 **All other scenarios – employees should confer with the [redeployment procedure](#)**
- 2.3 In addition to the duty accepted by the University, there is also a responsibility in such situations for the employee to co-operate in the identification and investigation of new opportunities for work within the University and to accept reasonable requests for training and skills development in order to adapt to new opportunities.
- 2.4 When considering redeployment and the suitability of other positions, the following criteria should normally be taken into consideration:
 - Pay/grade;
 - The employee's personal circumstances, qualifications and career aspirations;
 - Working environment;
 - Hours of work;
 - Nature of work (e.g., minimum skills required to do the job).
- 2.5 Wherever possible, the University will seek suitable alternative work on comparable terms and conditions, but this may not always be possible within a reasonable span of time.

2.6 It should not be assumed that an individual will not be interested in a particular position because it is at a lower grade. The individual should be given the opportunity to consider whether they are prepared to take on a job at a lower grade however, pay protection will only apply for roles **one grade below** the existing grade. Redeployment can be considered for roles beyond one grade below but pay protection will not apply. **Positions at a higher level/grade will not normally be considered as suitable alternative work for redeployment purposes.** Such higher-grade positions may be sought through a normal competitive process.

3. Procedure

3.1 Where staff have a **disability or other medical reason** which has resulted in the employee being unable to continue in their current role despite the implementation of reasonable adjustments, the following process will normally be undertaken:

- In cases where redeployment is being considered due to sickness absence, when requested, and to inform decision making, the employee will be required to provide, or permit, up-to-date medical documentation, including fit notes, Occupational Health reports, or other relevant clinical assessments. These documents will be reviewed to assess the employee's capabilities, limitations, and potential for reasonable adjustments in relation to their current role.
- Redeployment will only be pursued after all reasonable adjustments to the current role have been explored and found to be unsuccessful or unfeasible.
- Before any redeployment is confirmed, the employee will undergo an Occupational Health assessment to determine their suitability for the proposed role. The University's primary mechanism for this assessment will be through Occupational Health. In addition, supplementary medical evidence, such as documentation from the NHS or other relevant medical professionals, may also be considered. Liverpool Hope University will ensure that all decisions are informed by objective medical advice obtained from Occupational Health, and other reliable medical sources, and will be made in consultation with the employee to confirm that they are medically fit to undertake the duties of the redeployed role.
- A meeting will be held with the individual and the line manager/Head of School/Department and an HR Manager (HRM). Typically, this discussion will be held as part of stage 2 or higher within the [Sickness Absence & Monitoring Policy](#). The meeting will explore the types of roles for which the individual would like to be considered, together with relevant skills, experience and any training needs. The HRM will outline the process that will be followed to find a suitable alternative position for the individual. The employee can be accompanied by a trade union representative or work colleague at this meeting.
- Line Managers or Head of School/Department will be encouraged to identify suitable opportunities for redeployment within their own School/Department in the first instance. If there is nothing suitable within the School/Department, the HRM will identify if there are other vacancies that may be a suitable alternative in another area of the University. There has to be a genuine vacancy; no positions will be created purely for the purposes of redeployment. Individuals should also look at the [vacancy page](#) on the People Services website to see whether there are any jobs in which they may be interested.
- If a likely suitable position has been identified by the HRM, manager or individual, a CV/Application form for the position should be submitted by the individual to the HRM who will then liaise with the recruiting manager to determine if the individual meets the **essential criteria** for the job.

- If the individual seeking redeployment meets the essential criteria for the job, they will be given prior consideration for the post by means of an interview, in advance of any other internal/external candidates being considered (with the exception of staff mentioned in [redeployment procedure](#)). It should be noted that if the individual does not meet the essential criteria but with a reasonable amount of training would, **they should still be considered prior to other candidates**. The interview should take place as quickly as possible, as any external advert may be delayed as a consequence of this process.
- If it is concluded that the individual does meet the requirements of the position, they should be offered it before consideration of any other candidates (with the exception of those impacted in [redeployment procedure](#)). If, however, it is concluded that the individual does not meet the requirements of the post, they will be given written feedback by the recruiting manager explaining the reasons for this decision.
- If more than one employee seeking redeployment expresses an interest in a particular post, a competitive selection process in line with the University's normal procedure will take place, limited to those seeking redeployment as outlined in this guidance and those in the [redeployment procedure](#).

4. Trial Period

- 4.1 Employees who are offered alternative employment where the terms and conditions differ wholly or in part from the original contract may delay a final decision whether or not to accept it for a four-week trial period. If, at the end of the trial period, the employee remains in the job, they will be considered to have accepted it.
- 4.2 Any agreement of a longer trial period, in order to facilitate retraining must be made in writing before the employee starts work under the new or renewed contract.
- 4.3 If at any point during the trial period the manager feels that the employee is not suited to the position, this should be discussed with the employee following consultation with the relevant HRM.
- 4.4 If the manager or the employee determines that the trial period has not been successful, full and clear reasons for the decision must be given in writing.
- 4.5 If during, or at the end of the trial period has not been successful, the University can give notice to invoke Stage 3 of the [Sickness Absence & Monitoring Policy](#). A possible outcome to this could be dismissal on reasonable grounds, should this outcome be reached, the employee will be treated as having been dismissed by reason of ill health grounds following a failed redeployment. This would include the right to receive a notice pay on the same terms as dismissal due to ill health and or capability.

5. Refusal of Alternative Employment

- 5.1 In the event the current redeployment offer is part of the outcome of a stage 3 meeting, an employee who unreasonably refuses an offer of suitable alternative employment will be treated as having been dismissed by reason of ill health grounds following a failed redeployment request, as outlined in a stage 3 outcome.
- 5.2 An employee who resigns during a trial period, will be treated as resigning by reason of ill health grounds. On this ground the statutory notice period may be waived, this should be discussed with the Line Manager and HRM.
- 5.3 Where the manager and HRM feel that an offer of suitable employment has been unreasonably refused, a meeting will be held with the employee to discuss the reasons for the refusal. The employee shall be entitled to be accompanied by a Trade Union representative or fellow work colleague. This could invoke point 4.5 procedure above.

6. Other requests for redeployment

6.1 The University recognises that there will be occasions when individuals wish to seek redeployment to an alternative role for a variety of reasons of their own. This guidance refers only to redeployment where the employee is under actions from the Sickness Absence & Monitoring Policy. The University has no obligation to support such requests; however, at its sole discretion, the University may consider redeployment in accordance with this procedure in the following circumstances. The decision when and how to apply redeployment, in line with the scenarios below, rests entirely with the University.

- Where a request for flexible working, made in accordance with statutory provisions, cannot be accommodated within the individual's current role;
- At the request of an individual who wishes to reduce their level of responsibility, please note as this would be a voluntary move, the pay protection clause would not apply in this circumstance;
- As a result of a formal recommendation made under a formal University policy/procedure, such as a disciplinary/grievance action;
- Where there is a complete breakdown of a working relationship and all informal / formal routes have not succeeded.

6.2 The process to be followed in such cases will depend on the circumstances of the situation.

6.3 For the avoidance of doubt, provisions set out in clause 6.1 are not mandatory and decision on whether redeployment applied is at the discretion of the University. Priority for redeployment will be given to employees who are at risk of redundancy (as outlined in the Redeployment Procedure) and to employees whose ill health is directly impacted by a disability or other medical condition, particularly where they are covered by relevant statutory provisions.

7. Pay protection

7.1 The University will make every effort to ensure that an offer of suitable alternative employment is made at the same grade, however, should an employee elect to accept a post one grade lower, their existing pay will be protected for 12 months from the date of appointment to the new post. During this period, employees will not receive increments but will receive cost of living increases. The pay protection period will cease at the end of the 12-month period when the employee's salary will revert to the top point of the lower grade.

7.2 If an employee voluntarily accepts a change of position during the period of pay protection, the entitlement to pay protection will cease from the date of appointment to the new role

7.3 Pay protection will not apply to employees who voluntarily requests to move to a post at a lower grade.

8. Training

8.1 The University is committed to facilitating and funding reasonable training to enable employees to be redeployed to a suitable alternative position.

8.2 All advertised vacancies are available to view on the [vacancy page](#).