

Redeployment Policy

Policy Details:

Ref:	WOD27
Policy Author:	Workforce Policy Review Group
Executive Sponsor:	Executive Director for People
Approval / Effective Date:	
Review Date:	
Version:	3

Target Audience:

People who need to this document in detail	All A4C employees via internet and team briefings.
People who need to have a broad understanding of this document	All A4C employees via internet and team briefings.
People who need to know that this document exists	All A4C employees via internet and team briefings.

Integrated Impact Assessment:

Equality Impact Assessment Date & Outcome	Date: 24/05/22 Outcome: No negative impact.
Welsh Language Standard 82	Yes - If Standard 82 applies you must ensure a Welsh version of this policy is maintained.
Date of approval by Equality Team:	24/05/22
Aligns to the following Wellbeing of Future Generation Act Objective	Co-create with staff and partners a learning and growing culture

Policy Approval Route:

Where	When	Why
Policy Review Group		
Disclaimer:		
If the review date of this document has passed please ensure that the version you are using is the most up to date version either by contacting the author or CTM Corporate Governance@wales.nhs.uk		

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1. POLICY STATEMENT

This policy is designed to assist employees who are at risk of losing their job as a result of eventualities where redeployment may be necessary such as:

- Long term sickness, where an employee is no longer able to undertake their duties due to health issues on a permanent basis and this is supported by Occupational Health.
- Frequent short term sickness, where an employee is no longer able to undertake their duties due to health issues on a permanent basis, with the support of Occupational Health.
- Where there are health issues directly related to the person's specific occupation e.g. exposure to allergens.
- Where conflict resolution has not been possible e.g. using All Wales Respect and Resolution Policy, and senior managers and Workforce and OD consider that redeployment is an appropriate option to safeguard the team/department, service provision and health of individuals concerned.
- Where redeployment is decided as an outcome either from a Grievance or a Disciplinary matter then All Wales Respect and Resolution Policy should be utilised. Workforce and OD advice should be taken in these circumstances on whether the normal redeployment process should be followed or whether immediate redeployment is necessary as an outcome.
- In circumstances where it may be a requirement for employees to be redeployed due to an issue identified through the All Wales Capability Policy and Procedure. In these circumstances, the normal redeployment process should be followed and the UHB Capability Policy and Procedure would need to be utilised in conjunction with this policy.
- Where redeployment is due to Organisational Change the All Wales Organisational Change Policy should be adhered to. The forms and letters from the appendix should still be utilised, where applicable in this policy.
- For any other employees who do not fall in any of the above categories that are not covered by the All Wales Organisational Change Framework.

- The suitability of alternative employment should be determined by taking account of pay, status, location, working environment and working hours of the new post in comparison to the existing and the skills and experience of the individual.

This list is not exhaustive but serves as a guide as it is not possible to cover every eventuality.

2. PRINCIPLES

This policy is based on the principles of the All Wales Organisational Change Management Policy.

In accordance with the UHB's Equality & Diversity Policy, this policy will not discriminate, either directly or indirectly, on the grounds of any of the characteristics protected by the Equality Act 2010 or any other personal characteristic.

If the individual potentially meets the definition of a disability as detailed in the Disability Discrimination Act 1995 and 2005 and the Equality Act 2010, the UHB has a positive duty under the legislation, supported by case law, to make reasonable adjustments to ensure that they remain in employment wherever feasible, and this includes providing alternative work. This may mean treating a disabled person more favourably to remove the disadvantage attributable to the disability.

For permanent and fixed-term redeployment, consideration will be confined to fully funded vacant posts. There is no expectation that managers will create posts to accommodate individual needs.

Occupational Health will be fully involved where necessary whilst staff are on the redeployment register and seeking redeployment.

Whilst staff are on the redeployment register but remain in their role, for example with reasonable adjustments, there shall be regular reviews of their condition and regular consultation with occupational health with regards to their ability to sustain their role.

3. LEGISLATIVE AND NHS REQUIREMENTS

Employers are also required to consider redeployment options as part of their duty to make reasonable adjustments for disabled staff and job applicants under the Disability Discrimination Act 1995 (Amended 2005), now Equality Act 2010.

4. PROCEDURE

Employees on the redeployment register will be considered for suitable vacancies that arise within the UHB as part of the recruitment process before the post is

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advertised. Individuals should normally meet all of the essential criteria for the post, however, consideration should be given to the amount of additional training or re-training that would be required to enable the individual to meet that criteria.

Occupational Health should establish the type of work that the employee is able to undertake and note any limitations or restrictions that may apply where required.

Posts at a higher pay band will not normally be considered for redeployment. Normally posts will be considered if they fall within the same or lower pay band. Exceptions to this rule will be made where:

- There are issues under the Disability Discrimination Act 1995 (now the Equality Act 2010), so that if they possess the essential criteria and competencies for a promotional post, they will be considered for the vacant post (Archibald v Fife Council [2004] IRLR 651 HL).
- For staff members on Band 1 of pay bandings, who may apply for Band 2 positions.

Employees who are required to be on the redeployment register must complete the relevant pro-forma with their manager and a member of Workforce and OD outlining their skills, experience and qualifications (**Appendix 1**). This form will be used in assessing their suitability for posts. It will be considered in conjunction with the person specification for the post and further clarification will be sought where necessary.

5. ILL HEALTH SITUATIONS

If the redeployment is under health grounds, once Occupational Health and the Manager have established that the staff member requires redeployment, a consultation meeting should be held. This will be between the member of staff, their staff side representative, manager and a member of Workforce and OD. Please refer to the NHS Wales Managing Attendance at Work Policy about the right to be accompanied at the meeting.

The Manager should then follow the meeting up with written confirmation of redeployment process (**Appendix 3**).

The redeployment period will normally last for 12 weeks. The 12 week period will exclude any trial periods.

During the redeployment period, and throughout any work trials, the employee's substantive employing department will continue to pay their existing remuneration. Once a work trial has been completed successfully and it has been confirmed that the staff member has been successful in a substantive post,

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responsibility for remuneration in the new post will fall to the employing Department.

Any additional expenses i.e. travel and car parking expenses will be payable for the trial period of redeployment.

Employees who refuse reasonable offers of suitable redeployment opportunities will be putting their employment at risk as these posts are limited within the organisation.

If, after the 12 week redeployment period:-

- No suitable redeployment opportunities have been identified; or
- The employee has failed to complete any work trials successfully; or
- The employee has refused to accept any suitable work trials.

The employee would then be dismissed on the grounds of capability where the dismissal is due to ill health/medical reasons.

There will also be specific issues where the redeployment is only needed for a limited time (for example where a person is waiting for an operation and whilst doing so, cannot undertake their substantive post). These cases should be dealt with initially between a member of Workforce and OD and the manager, outside of this Redeployment Policy.

6. DBS CHECKS

When an employee is redeployed they should in all cases have the correct DBS check in place for their role in which they are being redeployed, where a DBS is required. As per the UHB's Disclosure and Barring Service (DBS) Checking Policy, only in exceptional circumstances should an employee be able to start in a new post without prior completion of the required DBS.

In situations, where there is urgent need to appoint because of an identified risk to patient safety, a risk assessment must be completed and monitored by the appointing manager.

Any concerns should be relayed to Workforce and OD.

If the employee is not cooperative in providing the DBS while on a risk assessment they may become subject to disciplinary action and again Workforce and OD should be contacted.

New DBS checks should be carried out when there is a change in the job role that requires either a different level of DBS or new DBS where the individual has not had one in their previous role.

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7. PROCESS FOR REDEPLOYMENT TO BE FOLLOWED

The redeployment form (**Appendix 1**) should be completed during the initial meeting to discuss redeployment and a copy of the redeployment policy be provided. The redeployment process should be followed (**Appendix 2**).

The staff member should register on the NHS Jobs website at www.jobs.nhs.uk and should be made aware that they are also responsible for looking for suitable posts both inside the organisation and with external organisations. Sufficient time will be allocated for them to do so.

The Manager should then follow the meeting up with written confirmation of redeployment process (**Appendix 3**). The completed forms should be retained by Workforce and OD following the meeting, who will then add the employee to the redeployment register.

Workforce and OD will, on a daily basis, review current and pending vacancies against current post/skills known/adjustments identified and ascertain any suitable vacancies, taking into account the conditions under which the employee is to be redeployed.

Vacancies should not be advertised until individuals who are seeking redeployment have been given prior consideration.

If and when a suitable post is identified where an employee meets all the essential criteria in the person specification or will be able to in an agreed timescale, a member of Workforce and OD will contact the member of staff immediately to notify them of the vacancy. The employee will be sent the job description, person specification, and KSF outline (if available), and advice be sought from Occupational Health regarding the suitability of the post, if necessary.

Where more than one person is deemed suitable for the post, interviews will be held to select the most suitable candidate.

If the employee refuses the offer of a suitable post, this should be documented and retained by Workforce and OD (**Appendix 4**).

Redeployment opportunities will be available to employees on a 'trial period' basis of 4 weeks. This period may be extended to a maximum of 12 weeks depending on the nature of the role and any retraining that may be involved. A confirmation letter should be sent to the employee confirming details of the trial period (**Appendix 5**).

Before the trial period, the employee should visit the department and meet the recruiting manager. Unless either the employee or the appointing manager can

clearly justify that the post is not suitable (and the reasons are documented), the employee will commence the 4 week trial period.

During the trial period, regular weekly informal reviews will be held with the employee and their line manager and the Trial Review form (**Appendix 10**) completed. The purpose of the reviews will be to monitor progress, identify any issues to be addressed and allow both parties to comment on the suitability of the redeployment.

If it is evident from the outset that the role is not suitable then, with agreement, the trial period may cease early.

Upon completion of the agreed trial period, a final review meeting will be held between the member of staff and their staff side representative, the recruiting manager and a member of Workforce and OD. An invitation letter should be sent (**Appendix 6**).

A feedback form should be completed during the meeting (**Appendix 7**) where necessary. Workforce and Organisational Development will provide written confirmation of successful completion of the trial (**Appendix 8**) and the previous manager should complete a staff change form.

If during the review meeting the trial period was considered to be unsuccessful or the employee wishes to withdraw, or declines the post offered with an acceptable justification (e.g. no skills match), the reasons should be discussed and documented, and a letter should be sent confirming the discussions about the unsuccessful trial (**Appendix 9**).

If the trial period is unsuccessful, the remainder of the redeployment period will continue from the date the trial period ends and the employee, manager and Workforce and OD will endeavour to identify other suitable redeployment opportunities, up to a maximum of 3 trials.

Example: An employee begins the 12 week redeployment period on 1st March. On the 1st of April (4 weeks later), they begin a trial period in a suitable alternative vacancy. At the end of April it is mutually agreed that the vacancy isn't suitable. The remainder of the redeployment period (8 weeks) begins on the 1st of May.

Where an employee accepts a trial into a fixed-term post, due to end in 6 months or less, the redeployment period will be suspended on appointment to the post. The remainder of the 12 week redeployment period, or a minimum of 4 weeks will be applied, so that it ends on expiry of the fixed-term period. In the case of fixed-term contracts of over 6 months, the 12 week redeployment period will re-start 12 weeks before the contract is due to end. The recruiting manager is

responsible for the orientation of the new post and progressing any training requirements identified, if necessary.

If the employee is employed into a fixed-term post, the employee, a member of Workforce and OD and the Manager will continue to seek suitable permanent posts.

A maximum of 3 trials will be allowed during the redeployment period, if necessary. If all 3 trials are unsuccessful within the time period then in the final review meeting termination of employment will be a possible outcome.

8. TRAINING IMPLICATIONS

All staff should be aware of this policy via internal mechanisms such as SharePoint and team brief.

9. REVIEW, MONITORING AND AUDIT ARRANGEMENTS

This policy will be reviewed every 3 years, additional reviews may be required if any changes are made to Legislation or Terms and Conditions of Service apply.

10. MANAGERIAL RESPONSIBILITIES

Workforce and OD and Managers must take overall responsibility for ensuring that this policy is implemented and monitored effectively, they must ensure that all of their employees are aware of their responsibilities.

11. RETENTION OR ARCHIVING

The Executive Director for People will ensure that copies of this policy are archived and stored in line with UHB records management policy, and are made available for reference purposes should any situation arise where they are required.

12. NON CONFORMANCE

All employees are expected to comply with this policy, failure to comply with the policy is a serious offence and could result in disciplinary action.

Any deliberate misuse or abuse of this policy will be regarded very seriously and could lead to disciplinary action or dismissal.

13. EQUALITY IMPACT ASSESSMENT STATEMENT

This policy has been subject to a full Equality Impact Assessment and no implications found.

14. PRIVACY IMPACT ASSESSMENT STATEMENT

A full Privacy Impact Assessment has been undertaken and no impact identified.

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Appendix 1

Redeployment Form

This form should be completed by the employee concerned in conjunction with the manager and Workforce and OD representative responsible for overseeing the redeployment process for them. It will be used to collate all necessary information in order to ensure that, as far as possible, alternative employment is provided.

All relevant information should be recorded as this form may be used as evidence to demonstrate that every effort was made to minimise dismissals of any nature.

Employee Name	
Telephone/contact number/home address & email address	<i>(it is important that a contact number be given in order for Workforce & OD/Manager to contact the staff member if and when a post arises)</i>
Manager	
Current post, grade, salary and hours worked	
Date formal redeployment period began	
Reason for redeployment (ill health, other)	
Details of employees qualifications, skills and experience	

<p>Details of alternative employment sought (employment in other occupations, areas and departments should be considered)</p>	
<p>Restrictions to employment (any medical conditions or disability) that may impact on alternative employment opportunities; any work-life balance commitments</p>	
<p>Any health issues</p>	
<p>Hours of work (what are the minimum and maximum hours the employee is able/prepared to work)</p>	
<p>Mobility issues (is the employee able to work in other locations)</p>	

<p>Training/re- training (is the employee prepared to undertake retraining, if not, why is retraining not an option)</p>	
<p>Any other information to be taken into consideration?</p>	
<p>Signed: Employee</p>	
<p>Signed: Manager</p>	
<p>Signed: Workforce and OD Manager</p>	
<p>Date of Meeting</p>	

WORKFORCE AND OD ONLY:

<p>Date alternative employment secured</p>	
--	--

Appendix 2

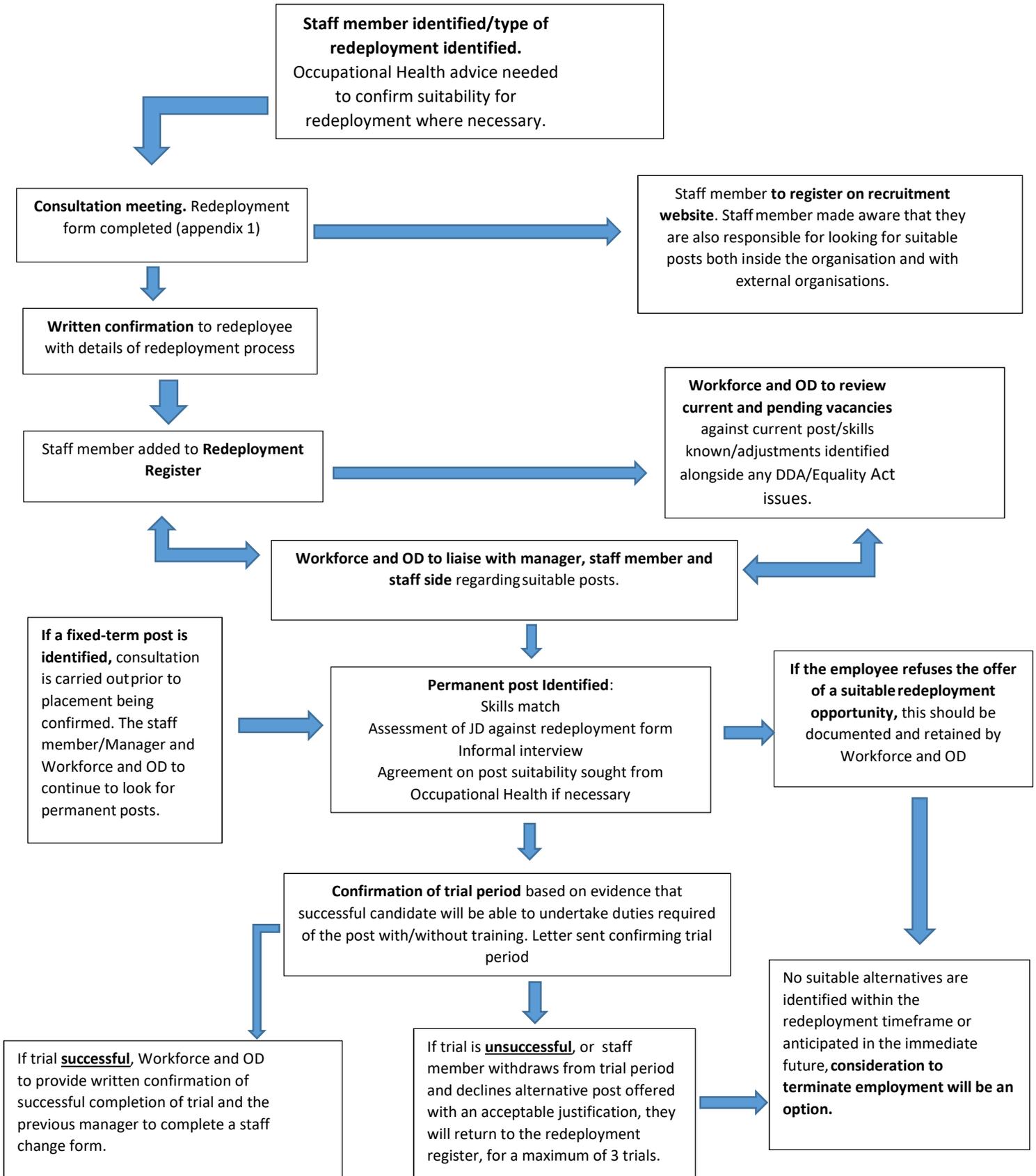
Redeployment Process and Flowchart

1. Staff member identified/type of redeployment identified. Occupational Health advice needed to confirm suitability for redeployment where necessary.
2. Consultation meeting held, staff profile form completed by member of staff, manager and Workforce and OD (**Appendix 1**) and member of staff provided with a copy of the redeployment policy. The redeployment process should be followed (**Appendix 2**).
3. Staff member to register on recruitment website. Staff member made aware that they are also responsible for looking for suitable posts both inside the organisation and with external organisations.
4. Manager to follow up with written confirmation of redeployment process (**Appendix 3**).
5. Staff member added to redeployment register, Workforce and OD to review current and pending vacancies against current post/skills known/adjustments identified alongside any DDA/Equality Act issues.
6. Workforce and OD to liaise with manager and staff member regarding suitable posts.
7. If a fixed-term post is identified, consultation is carried out prior to placement being confirmed. The staff member/Manager and Workforce and OD to continue to look for permanent posts.
8. Preliminary skills match identified for substantive post. Assessment of job description against application form/staff profile.
9. Agreement on post suitability sought from Occupational Health if necessary. This should be undertaken as soon as possible following identification of a suitable post.
10. If the employee refuses the offer of a suitable redeployment opportunity, this should be documented and retained by Workforce and OD (**Appendix 4**).
11. Confirmation of trial period based on evidence that successful candidate will be able to undertake duties required of the post with/without training. Letter sent confirming trial period (**Appendix 5**).

- 12.** Recruiting manager responsible for orientation of new post and progressing any training requirements identified. Weekly informal reviews will be held with the employee and the Trial Review form (**Appendix 10**) completed.
- 13.** Upon completion of the trial period, review meeting to be held and invitation letter sent (**Appendix 6**). The feedback form should be completed where required (**Appendix 7**).
- 14.** If trial successful, Workforce and OD to provide written confirmation of successful completion of trial (**Appendix 8**) and the previous manager to complete a staff change form.
- 15.** If the staff member is unsuccessful in the trial, or withdraws from trial period and declines alternative post offered with an acceptable justification, they will revert back to step 8, for a maximum of 3 trials. The unsuccessful trial letter should be completed (**Appendix 9**).
- 16.** In all cases, the discussions should be captured in a letter to the employee. Workforce and OD should be in attendance. If the staff member declines an offer of the post, the reasons for refusal should be documented within the letter.
- 17.** If no suitable alternatives are identified within the redeployment timeframe or anticipated in the immediate future, consideration to terminate employment will be an option. (Workforce and OD advice should be taken first).

The 3 month timeframe may be extended under exceptional circumstances, upon agreement at Clinical Service Group level – in this instance, a case should be compiled giving reasons for the extension, and should be presented at Clinical Service Group level.

Redeployment Process Flow Chart



Appendix 3

Private & Confidential

RE: Confirmation of Redeployment Process

Dear

Following your completion of the Redeployment Application form and meeting held with myself on (**date**) and (**Workforce & OD representative**) and (**Trade Union/Professional Organisation**). I can confirm that you have been placed on the Redeployment Register for the duration of **12** weeks. This period will exclude any redeployment trials.

We agreed at the meeting that you would remain on the redeployment register for 12 weeks and this will be reviewed regularly. Also you have confirmed to me that you have registered with www.jobs.nhs.uk and understand that it is your responsibility to actively seek redeployment opportunities both inside and outside of the organisation.

As explained to you at the meeting the University Health Board is unable to support staff remaining on the redeployment register indefinitely. Therefore we may take the decision to terminate your contract on the grounds of capability, after the redeployment period if:

- No suitable redeployment opportunities have been identified; or
- You have failed to complete any work trials successfully; or
- You have refused to accept any suitable work trials

If you have any concerns about redeployment or would like to discuss any potential vacancies please do not hesitate to contact myself on (**insert number**) or Line Manager on (**insert number**).

Yours sincerely

Name Manager

Cc: Workforce & OD

Appendix 4

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Offer of Redeployment Post – Rejection Form

Employee Name:

Current Post/Grade:

Post Offered Redeployment:

Human Resource Advisor/Manager: Union Representative:

This form is to be completed by the employee if they decline a suitable redeployment post.

Reasons for not accepting an offer of a trial redeployment period:

.....
.....
.....
.....
.....

Employee’s Signature:

Date:

Workforce & OD Manager/Advisor Signature:

Trade Union/Professional Organisation
Signature:.....

Appendix 5

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RE: Confirmation of Redeployment Trial

Dear

I write with reference to your recent discussions with (**receiving Manager**), concerning your trial redeployment to the (**new department / Ward**). I was very pleased that a post had been found which may meet your needs and enable you to continue in employment in the University Health Board.

I formally confirm that with effect from (**start date**) you will commence a trial period of redeployment to the post of (**new Post, job title and Grade**) within the (**new Department / Ward**) at (**new base**) for a period of (**?**) weeks. At the end of this period, a formal review meeting will be held with a member of staff from Workforce and Organisational Development present, and you will have the right to be accompanied at the meeting by a representative of a Trade Union/Professional Organisation, colleague, relative or friend.

During your trial period, your hours will be (**insert number**) hours per week and how these are worked should be arranged with (**new manager**). The principal duties and responsibilities are outlined in the job description, **which I believe you have already received / is attached**.

As this is a temporary arrangement at present, your existing substantive post remains that of a (**current job title and grade**). During the trial period, you will continue to be paid this salary.

If you have any concerns about Redeployment or would like to discuss any potential vacancies please do not hesitate to contact myself on (**insert number**).

Yours sincerely

Name Manager

Cc: Workforce & OD

Appendix 6

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RE: Redeployment Trial Review Meeting

Dear

Your (?) week trial redeployment period in the post of (**post title, grade, department, hospital**) is due to end on (**date**).

A formal review meeting has therefore been scheduled to take place on (**date**) at (**time, venue**). (**name**), a Workforce & OD representative will also be present at the meeting.

You have the right to be accompanied by a representative of a Trade Union/Professional Organisation or a friend, relative of colleague not acting in a legal capacity.

Please could you telephone me on the above number to confirm your attendance at this meeting.

Yours sincerely

Name Manager

Cc: Workforce & OD

Appendix 7

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Feedback Form following Redeployment Trial

Employee Name:

Current Post/Grade:

Post Sought for Redeployment:

Workforce & OD Advisor/Manager:

Trade Union/Professional Organisation Representative:

This form is to be completed by Managers who are required to consider an employee for a trial redeployment period. The form is intended to provide documentation to evidence that sufficient, fair and objective consideration has been given to staff seeking redeployment opportunities and to make feedback available which can be used to assist the employee in identifying skills and training needs to help them in securing a successful redeployment.

Redeployment is an option which should be considered in order to retain staff and to enable them to remain within the employment of the University Health Board moving them to an alternative post which is more suited to their needs and or abilities, or because it is no longer tenable for them to remain where they are.

If the individual meets the definition of disability contained in the Disability Discrimination Act 1995 and 2005 and the Equality Act 2010, the University Health Board has a positive duty under the legislation, supported by case law, to make reasonable adjustments to ensure that they remain in employment wherever feasible, and this includes seeking alternative work. This may require a Manager to treat a disabled person more favourably to remove the disadvantage attributable to the disability.

Where the individual is not deemed suitable for the post, Section A of this form should be completed by the Manager from the appropriate area.

Similarly if the individual rejects the offer of redeployment, it will be noted in Section B that the offer was refused including the reasons given by the individual.

Section A

Name of Manager:

Date of Interview/Assessment: Detail of Feedback given to Individual:

(Please attach additional Interview Notes if applicable)

.....
.....
.....

Summary of reasons why individual is unsuitable/unable to fulfil the role:

.....
.....

Section B

To be completed by member of staff rejecting an offer of redeployment.

Reasons for not accepting an offer of a trial redeployment period:

.....
.....

Employee's Signature:.....Date:

Print Name and Job Title:

Appendix 8

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RE: Confirmation of Redeployment

Dear

I write to confirm that the **(? week)** trial period has been completed. A formal review meeting was held on **(date)**, with **(new manager)** and myself, at which there was a unanimous decision that everything had gone well during your trial.

You confirmed **(for example, that you were happy in your new work area)** and on that basis, your substantive redeployment to the post of **(post, band)** in the **(ward, Department)**, is confirmed with effect from **(date)**.

The Payroll Department has been notified of this change and will make the necessary adjustments to their records.

A new contract of employment will follow shortly.

Yours sincerely

Name

Workforce & OD Manager

Cc: Workforce & OD

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Appendix 9

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RE: Unsuccessful Redeployment

Dear

I write to confirm that the redeployment trial that commenced on the and ended on the has been unsuccessful, as discussed with yourself in the formal meeting that was held on the with myself and (***new manager***).

Moving forward the below actions were discussed and agreed upon:

.....
.....
.....

Yours sincerely

Name
Workforce and OD Manager

Cc: Workforce & OD



Appendix 10

MANAGEMENT OF REDEPLOYMENT TRIAL REVIEW FORM

1 PERSONAL DETAILS

Name	<input type="text"/>	DOB	<input type="text"/>
Address	<input type="text"/>		Phone No <input type="text"/>

2 INTERVIEW ARRANGEMENTS

Date	<input type="text"/>	Time	<input type="text"/>	Location	<input type="text"/>
Interviewed by	1	<input type="text"/>	2	<input type="text"/>	

3 EMPLOYMENT DETAILS (Current Post)

Service Group:	<input type="text"/>	Dept:	<input type="text"/>
Designation:	<input type="text"/>	Location:	<input type="text"/>



4 EMPLOYMENT DETAILS (Redeployment Post)

Service Group:

Dept:

Designation:

Location:

Date Start Trial

5 Redeployment Evaluation - Week One (Please use separate sheet if required)

Manager:

Date:

Employee Wellbeing Services provided

Yes

No

**Signed:
(Employee)**

**Signed:
(Manager)**



GIG
CYMRU
NHS
WALES

Bwrdd Iechyd Prifysgol
Cwm Taf Morgannwg
University Health Board

6 Redeployment Evaluation - Week Two (Please use separate sheet if required)

Manager:

Date:

Signed:
(Employee)

Signed:
(Manager)



7 Redeployment Evaluation - Week Three (Please use separate sheet if required)

Manager:

Date:

Signed:
(Employee)

Signed:
(Manager)



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NHS
WALES

Bwrdd Iechyd Prifysgol
Cwm Taf Morgannwg
University Health Board

8 Redeployment Evaluation - Week Four (Please use separate sheet if required)

Manager:

Date:

Signed:
(Employee)

Signed:
(Manager)

9 CONCLUSION (Including any action agreed)

Successful : YES / NO

Signed : (Line Mgr)		Approved : (Mgr)		Employee:	
Designation :		Designation :		Designation:	
Date :		Date :		Date:	