

Wiltshire Council Human Resources

Appointments Policy and Procedure

This policy can be made available in other languages and formats such as large print and audio on [request](#)

What is it?

The appointments policy and procedure provides information for managers on how to recruit to vacant posts.

It also provides a process to ensure that employees facing redundancy and service redesign are provided with an opportunity to be matched to suitable vacancies before these are advertised.

Go directly to the section on:

[Recruitment procedure](#)

[Frontline](#) and [specialist](#) positions

[Service re-design](#) – where no redundancies are required

[Service re-design](#) – where redundancies may be required

[Ownership of a post](#)

[Ring-fenced prior consideration](#)

[Appeals against ownership or ring-fence](#)

[Redeployment](#)

[Line manager responsibilities](#)

[Frequently asked questions](#)

[Toolkit](#)

Who does it apply to?

This policy applies to all employees apart from teachers and non teaching staff appointed in accordance with the Schools Standards and Framework Act 1998 and the Education Act 2002.

Where the appointment involves chief/statutory officers and deputy chief officers (corporate directors and service directors) the appointments policy and procedure for chief and senior officers should be used.

What are the main points?

Recruitment procedure

1. Managers will need to gain authorisation for recruitment to all positions by completing the [approval to recruit form](#) and forwarding it to their corporate director who will consider the request. This includes secondments, the use of temporary agency and consultancy staff.
2. If the role is non-managerial, corporate directors are able to decide whether you are able to recruit.
3. If the role is managerial, corporate directors will consider the request and forward on to the chief executive for a decision.
4. If the role is already being performed by an employee on a temporary contract of employment (issued by either a Wiltshire District or County Council, or Wiltshire Council), this role may now be made permanent (subject to the approval above).
5. Temporary employees may be appointed to the permanent role as long as appointment to the temporary vacancy was via a competitive process i.e. the vacancy was advertised and the employee was taken through a recruitment and selection process.
6. Once approval to recruit has been given the [advert request form](#) should be completed and forwarded to the recruitment team.
7. The recruitment team will check if there are any employees in the redeployment pool for whom this post could be considered suitable alternative employment. These candidates will need to be interviewed first as they will have prior consideration.
8. If recruitment from the redeployment pool is not possible an **internal** advert will be placed, inviting applications from all employees whether on temporary or permanent contracts. There are some exceptions to this as detailed below:

Frontline positions:

- Recruitment to a position providing services directly to the public may be advertised externally without the need to advertise internally first. Some examples include: -
 - Social Worker
 - Refuse Loader
 - Leisure Assistant
 - Occupational Therapist

Specialist positions:

- Recruitment to a position of a specialist nature where the skills, knowledge, experience and qualifications are unlikely to be available within the council, may be advertised externally without the need to advertise internally first.
9. If an appointment cannot be made internally, the job will be advertised externally.

Service re-design – where no redundancies are required

10. Where a service redesign takes place which results in new jobs which:

- have differences to the existing jobs which mean that employees do not have [ownership](#); but
- are similar enough to be considered [suitable alternative employment](#);

and

- where there are the same or greater number of posts as people currently employed;

there will be an initial informal consultation process to enable the council to try and reach a mutual agreement with all affected employees, prior to initiating the formal redundancy process. [See flowchart – redundancy process for service re-design.](#)

11. This additional step does not prevent any employee who does not agree to accept the new job (which may include new terms and conditions) by mutual agreement, going through the formal redundancy process whereby they will be put “at risk” and offered the new job as a suitable alternative role.

Service re-design – where redundancies may be required

12. Where a service re-design takes place which results in:

- a reduction in the total number of jobs; and/or
- substantial changes being made to jobs so that they no longer constitute suitable alternative employment;

the normal [redundancy policy and procedure](#) will apply. This may include you being given an opportunity to volunteer for redundancy.

13. Where you volunteer and are accepted for redundancy as a result of service re-design you will not be subject to the ownership/ring-fenced/redeployment processes detailed below.

14. If you do not volunteer for redundancy, you will be considered for a vacancy on the following terms:

Ownership of a post

15. As an employee you will be granted ownership of a post in a new structure when it is the same as your current post and the number of post holders meeting the criteria below is the same as or less than the number of jobs available. Ownership must meet the following criteria:

- If you are a Wiltshire Council employee, the grade for your current post and new post must be the same

OR

- If you are an employee who is currently employed on a contract which TUPE transferred from another organisation (e.g. District Council), the Wiltshire Council grade for your current post must be the same as the new post. (You will be issued with details of the Wiltshire Council grade as part of the ownership assessment)

AND all of the following:

- your current post and the new post have the same duties and responsibilities outlined in the job description or job evaluation questionnaire
- your current post and the new post have the same skill, knowledge or experience mix
- your current post and the new post have the same working patterns and work locations

16. If ownership is established you will be appointed on the following terms:

- if you were previously employed by the County Council or appointed by Wiltshire Council since 1 April 2009 you will be appointed on your existing grade and pay
- if you are an employee who is currently employed on a contract which TUPE transferred from another organisation (e.g. District Council), your employment will continue on your existing pay and terms and conditions. For further information about employment on TUPE terms and conditions you should access the [FAQs on pay harmonisation](#).

Ring-fenced prior consideration

17. As an employee you will be ring-fenced to apply for a post in a new structure when it is the same as your current post but the number of post holders meeting the criteria is **more** than the number of jobs available.
18. In order to be ring-fenced for a post you must meet the criteria set out as above for ownership of a post.

19. You will be required to participate in a formal selection interview and if successful will be appointed according to the terms above.

Appeals against ownership or ring-fence

20. You may appeal in writing against an ownership or ring-fence decision if:
- you have been appointed to a post which is not the same as your existing post
 - you have **not** been selected through ownership or ring-fence for a post despite it being the same as your existing post
 - you are an employee who is currently employed on a contract which TUPE transferred from another organisation (e.g. District Council). This includes appeals against the Wiltshire grade for your post that prevents your selection through ownership or ring fencing.
21. You should submit your appeal in writing by completing the [appointments policy appeals form](#) including evidence (such as the JEQ for your existing post) within a maximum of 10 working days of the ownership decision to the manager responsible for the ownership selection process. This timescale will apply in a majority of cases however in exceptional circumstances the service director (or their senior if applicable) responsible for considering the appeal may agree an extension.
22. Your written appeal will be considered by a service director (or their senior if applicable), HR representative and a union representative.
23. The outcome of your written appeal will be determined within 10 working days of its submission and you will promptly be notified of the outcome.
24. If your written appeal includes an appeal against the Wiltshire Council grade for your post (for ex-District employees) this will need to be considered before the ownership decision can be reviewed. This may result in a longer period before the appeal can be determined and an outcome notified to you.
25. There is no further right of appeal against the decision.

Redeployment:

26. The redeployment pool is those employees who are facing risk of termination of employment, and includes employees who are at risk from compulsory redundancy and termination on the grounds of ill health (in line with the absence management policy).
27. Employees who are granted voluntary redundancy will not be placed in the redeployment pool.
28. If you are not allocated a post through ownership or ring-fencing, prior consideration or your job is removed or substantially changed, you will be:
- issued with an At Risk notice

- the subject of statutory consultation
 - if no suitable alternative employment is found, issued with notice of termination of employment following the statutory consultation period.
29. During the period of consultation and notice you will be subject to the redeployment process. This will normally be for a maximum of 3 months in order to allocate suitable alternative employment. You will be asked to complete a form to supply the broad nature of your work, your current work location, possible alternative work location, current working hours and arrangements and possible working hours and arrangements.
30. The recruitment team will identify potential suitable alternative employment opportunities from the vacancies.
31. Your manager in conjunction with their HR advisor will assess whether a vacancy may constitute suitable alternative employment taking into account reasonable adjustments. You will be matched against a post based upon factors such as the similarity of:
- job duties and responsibilities
 - knowledge, skill and experience
 - same job grade, one grade above or one grade below (for ex-district council employees it is the Wiltshire grade for your post that will be used)
 - working hours and time
 - location
32. You will be selected following a recruitment interview based upon your capability to perform the job and you will not be expected to be at peak performance on the first day. As part of this process the recruiting manager will complete an [interview assessment form](#) . This contains the interview questions and the agreed weighting for each area of the person specification.
33. The recruiting manager will complete [a redeployment appointment form](#) for each candidate (both successful and unsuccessful).
34. If you are successful, the recruiting manager will complete the [redemption starter form](#) and forward to your HR business partner who will arrange for a suitable alternative employment letter and contract if required to be sent to you.
35. You will be subject to the statutory right to training and a trial period of 4 weeks that can be extended to three months by mutual agreement to enable re-training and familiarisation with job requirements.
36. If the trial period is unsuccessful by mutual agreement you will be placed back in the redeployment pool for other suitable alternative employment within the maximum 3 month period.
37. If you fail to engage with the redeployment process, you are at risk of forfeiting any redundancy compensation.

38. If despite these measures, no suitable alternative employment is found you will be given notice (according to your individual contract) that your employment will cease on the grounds of compulsory redundancy. In exceptional circumstances and by mutual consent, the individual contractual notice period may be shortened for which payment in lieu will be made.
39. You have the right of appeal against a decision to terminate your employment. Your appeal should be submitted and will be heard in accordance with Wiltshire Council's appeals policy and procedure.

What are my responsibilities as a line manager?

40. To apply this policy fairly and consistently ensuring that suitable appointments are made to vacant posts and posts within a new structure including:
 - Considering alternative options to recruiting such as the use of temporary contracts, acting up opportunities, redistributing work within the team and restructuring.
 - Recruiting only to posts that have been approved by a corporate director (non-managerial roles) and the chief executive (managerial roles).
 - Considering all suitable employees for ownership of a post within the new structure applying the criteria stated above and the [ownership grid](#) provided.
 - Considering all suitable employees for ring-fenced prior consideration (taking into account reasonable adjustments) for a post within the new structure applying the criteria stated above.
 - Providing information on available vacancies to employees in the redeployment pool that do not have PC access.
 - Conducting selection interviews in accordance with the recruitment and selection guidelines.
 - Retaining detailed notes of all discussions with employees to support any decisions made. Copies should be forwarded to HR to be retained on the employee's personnel record.

Frequently asked questions

39. **If I am in the redeployment pool and I accept a lower paid post as suitable alternative employment will my pay be protected?**

If a lower paid post is accepted as suitable alternative employment, protection of base pay will apply for 3 years. This applies where the post is one grade below (for ex-district council employees it is the Wiltshire grade for your post that will be used). Existing base pay will be frozen and will not be subject to

incremental or national pay awards. Wiltshire Council terms and conditions will apply.

40. **If the service is restructured and I apply for or I am redeployed to a new position, will I remain on my existing terms and conditions?**

You will be appointed on Wiltshire Council terms and conditions

41. **What is the redeployment pool?**

The redeployment pool are those employees who are facing risk of termination of employment. This enables you to be given prior consideration to be matched to suitable alternative employment. If no suitable alternative employment is identified either by you or the council you will be given notice and employment will cease on the grounds of compulsory redundancy.

42. **If I am in the redeployment pool, how will I be matched against a vacancy?**

All vacancies will be checked against employees in the redeployment pool for suitable alternative employment opportunities. Suitable employment opportunities will be based on the following criteria:

- similar job duties and responsibilities
- similar knowledge, skills and experience
- same job grade one grade above or one grade below (for ex-district council employees it is the Wiltshire grade for your post that will be used)
- similar working hours and time
- similar location

You are also responsible for identifying suitable alternative employment opportunities from the vacancies advertised (excluding schools).

Vacancies can be accessed via <http://jobs.wiltshire.gov.uk> or by contacting HR.

43. **What happens if I do not agree that a job in the redeployment pool is suitable alternative employment?**

A job will be identified as suitable alternative employment if it meets the criteria outlined at 42. Your manager will discuss the opportunity with you and will outline the reasons why the job is considered to be suitable alternative employment. If you do not agree, you will be asked to set out your reasons for refusal and these will be discussed with you on an individual basis, taking into account any circumstances which may preclude you from undertaking the new role.

Your manager may decide that your refusal is valid, in which case you may be invited to apply for voluntary redundancy.

If, however, you fail to engage with the redeployment process and reject the offer of suitable alternative employment without a valid reason, the council may decide to dismiss you on grounds of redundancy with no redundancy payment.

44. I am facing redundancy, what support will Wiltshire Council provide?

You will be placed in the redeployment pool and given prior consideration to be matched to suitable alternative employment. You are also responsible for identifying suitable alternative employment opportunities from the vacancies advertised.

Wiltshire Council will also seek to support your needs which may include:

- support in the period leading to the termination through counselling/coaching
- providing practical support in the search for employment including IT skills and other relevant training
- providing financial advice

For further information please see the [employee assistance programme](#)

45. I am facing redundancy, what do I need to do?

Whilst you are in the redeployment pool you will also be responsible for identifying suitable alternative employment opportunities from the vacancies advertised.

You should also be responsible for your personal development such as identifying suitable training that will help in your redeployment.

46. I am one of several employees on Wiltshire Council temporary/fixed-term contracts performing the same role. One of the posts is to be made permanent. Will I be appointed to that post?

All temporary/fixed-term employees performing the same role in your team will be invited to apply for the permanent vacancy and there will be a competitive process to select the successful candidate. If no-one is appointed to the post it will be available for employees in the redeployment pool and then advertised in the normal way.

47. I am an ex-District employee, how will I know the Wiltshire Council evaluated grade for my post?

You should be informed of the Wiltshire Council grade for your post at the beginning of the consultation and ownership process. Please ask your manager for this information if it is not made available to you.

48. What if I am unable to submit my appeal against an ownership decision within the maximum 10 days time period?

If this timescale is not possible you should inform the manager responsible for the ownership selection process as soon as possible, giving details of why you are unable to meet this timescale. In exceptional circumstances the service director (or their senior if applicable) responsible for considering the appeal may agree to extend the timescale for you to submit your appeal. If agreement is

given you must obtain written confirmation of this. Exceptional circumstances may include absence due to sickness or annual leave.

49. I am currently on maternity leave, what are my rights in relation to ring-fence prior consideration for a post?

If you are currently on maternity leave and have been ring-fenced for a post you will be interviewed ahead of other candidates who have been ring-fenced and are not on maternity leave. If you meet the criteria for the post, you will be appointed. This is in line with the Equality Act 2010.

Further advice and information

This policy should be read in conjunction with:

- [Redundancy policy and procedure](#)
- [Recruitment and selection policy](#)

A toolkit providing further information including template letters, forms and manager's guidance is provided on HR Direct.

For further information please speak to your supervisor, manager, service director or contact a member of your [hr advisory team](#)

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