

Line Managers guide to the Alternative Employment Programme (AEP)

It is a legal and moral requirement for the Council to seriously consider suitable alternative employment where an employee may potentially lose their livelihood in cases of redundancy. In cases of disability there is also a legal requirement to consider all reasonable adjustments, one of which could be an alternative type of work. The Council's position is that, wherever possible, it is a priority for the Council to retain a well skilled workforce, one that is talented, knowledgeable and experienced.

It is the CCC policy for all vacancies to go through AEP before proceeding to internal or external advert.

There are a number of different situations which may lead staff to joining the Alternative Employment Programme:

1. Employees who become pregnant and cannot continue in their current role; or whose post is declared redundant during maternity leave
2. Employees who, through ill health or disability cannot continue in their current post or for whom another post could be more suitable
3. Employees identified as at risk of redundancy through reorganisation or restructuring; or is at the end of a fixed term contract with at least one year's continuous service by the date employment is due to terminate
4. Reasons associated with discipline, grievance or capability
5. Apprenticeships coming to an end

Policy Framework

Recruitment and Selection
Managing Change

Roles and responsibilities

Line Managers of 'at risk' employees are required to:

- Complete the Manager Authorisation Form and forward to the HRSC team as soon as possible
- If required, support employees to complete their preference and application forms
- Allow 'at risk' employees to attend the Job Search Workshop
- Allow 'at risk' employees reasonable time to search for alternative employment and attend interviews
- Notify the HRSC team of any changes, for example if the employee is off work sick for a prolonged period of time.

The HRSC team work hard to ensure recruiting managers and employees on the AEP receive an efficient service. They are committed to the Council's priority of retaining our workforce. They will:

- Aim to process AEP paperwork on the same working day as it is received. During busy periods this will be within 2 working days.
- Match candidates to vacancies using the information on the preference form
- Keep candidates informed of potential matches
- Track potential leaving dates of candidates advising recruiting managers of timelines
- Support candidates at all stages of the AEP
- Liaise with candidates, managers and HR

Employees are expected to:

- Be proactive at every stage of the process
- Complete the preference form
- Consider all suitable alternative positions they are matched to
- Respond promptly to emails from the HRSC team
- Complete application forms for all roles they are matched to demonstrating how they meet the criteria
- Actively seek opportunities on the CCC Jobs and Careers website
- Consider reasonable changes in working arrangements, pay and responsibilities
- Prepare for interviews
- Keep the HRSC team up to date with any planned holidays etc
- Attend and participate in the Job Search workshop.
- Understand the implications of refusing suitable alternative employment
- Be prepared to accept offers of alternative employment
- Inform the HRSC team as soon as a post is accepted
- Inform the HRSC team of alternative contact details if they are away from the office for any length of time (e.g. due to sickness or maternity)

Alternative Employment process

Decision to recruit

- Interviews should be held within 7 days of receiving AEP applicant details.

Matching

- The HRSC team will match potential candidates against the information submitted on the preference form. The matching criteria include location; hours of work; qualifications, knowledge, skills and experience.
- AEP candidates are given 2 days to respond, agree to be put forward for the post and complete an application form demonstrating how they meet the role specification. The HRSC team will then contact managers with potential candidate's details.

Shortlisting

- If there is more than one suitable candidate from the AEP there are certain statutory obligations you need to respect if there are candidates with disabilities or maternity rights. The HRSC team will be able to advise you further
- Employees on the AEP should meet or reasonably meet the essential criteria for a post. However, where there are gaps serious consideration must be given as to whether suitable additional training, coaching or mentoring of the candidate would enable them to do so within a reasonable period of time.
- All AEP candidates must be considered where they meet or reasonably meet the essential criteria up to the closing date of an internal/external advert. NB: This should not usually include professional qualifications or experience.
- If time allows, managers are expected to consider the applications and interview before interviewing other internal or external applicants. If there isn't time to do this, AEP candidates should be interviewed on the same schedule but approached favourably within AEP guidelines.
- Interviews should be held within one week of receiving AEP candidate's details where possible, and no later than two weeks.
- If no suitable candidates are identified from the AEP managers must complete the AEP short listing form for each candidate and stating why the AEP candidates aren't suitable. **Please note: this could be used at a later date if a claim is submitted to tribunal**
- Approval for internal advert will have already been granted. External advertising will need approval via the normal Resource Management process

Interviewing AEP candidates

- Where there is more than one candidate from the AEP being interviewed then the process automatically becomes competitive. It is important to record the reasons AEP candidates have not been appointed. All records can be used as evidence, if at a later date a claim is submitted to tribunal.
- If the manager is unable to make a decision upon initial interview, a trial period can be offered. This is normally four weeks but will depend upon how different the duties are and if it will be sufficient for them to gain a full understanding of the role. Any extension must be agreed in advance and can only be used for specific training reasons.

Appointment

- Every effort must be made to ensure interviews are held and offers of employment are made prior to the employee's last day of employment. **Interviews and offers of employment cannot be made once the date of termination has passed**
- If an employee is on the AEP and is appointed to a temporary position, they will come off the programme until 12 weeks (max notice period) prior to the end of the temporary contract, or the earlier return of individual they are covering for. In this case the redundancy costs remain with originating directorate, except where the receiving directorate further extends the temporary contract, then the costs move to them.
- Applicants who are appointed on a lower salary scale as a result of redeployment due to restructure will be eligible for pay protection in line with Cumbria County Council Pay Protection Policy.

Contact

The HRSC team will support you with any queries you may have around the Alternative Employment Programme (01228 223333)
hrservicecentre@cumbria.gov.uk