

EMPLOYMENT MATTERS COMMITTEE

13 JUNE 2018

ORGANISATIONAL CHANGE

Report from: Carrie McKenzie, Assistant Director - Transformation

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Summary

This report covers new reviews and transfers for the period 1 November 2017 to 31 March 2018.

1. Budget and Policy Framework

- 1.1 The staffing implications of reorganisations are a matter for this Committee, which can decide on the employment policies and processes supporting any changes.
- 1.2 Directors may agree to reorganisations within their departments subject to there being:
 - no significant service policy implications or clear departure from existing Council policies;
 - no expenditure in excess of budget;
 - no growth in net expenditure beyond the current year;
 - no changes affecting Directors or Assistant Directors;
 - consultation with the Assistant Director - Transformation.

2. Background

- 2.1 This report considers new organisational reviews and also includes details of the transfer of staff to and from other employers.
- 2.2 An update on on-going reviews that have been previously reported at Employment Matters Committee on 28 November 2017 are set out from paragraph 3 and are shown underlined. Reviews which have commenced and in some cases concluded since the last meeting of the Committee are detailed from paragraph 4 onwards.

3. Summary of ongoing Organisational Review consultations

3.1 STG Building Control Partnership

- 3.1.1 A decision was taken by Canterbury City Council (CCC) to seek entry into the STG Partnership. Existing partnership members (Medway, Gravesham and Swale) have all respectively approved the proposal and work continues on the legal aspects.
- 3.1.2 A TUPE transfer involving the transfer of staff from Canterbury City Council (CCC) to Medway Council as the host council for the STG Partnership was completed on 1 April 2018.

3.2 Child Health Services (Public Health)

- 3.2.1 The Council and Medway CCG are proposing recommissioning the Child Health Services over 2017/18 which consists of the 0-19 Healthy Child Programme (HCP) and community paediatric health services. A market engagement event commenced on 13 March 2017 to obtain the views of the public and this has been followed by a procurement exercise.
- 3.2.2 A TUPE transfer involving the transfer of one employee from Medway Council to the NHS (Child Health Services) was completed on 1 April 2018.

3.3 Library Services

- 3.3.1 Following a proposal to close the Library at the Thomas Aveling School and to review the arrangements at Grain Library, the Thomas Aveling Library has subsequently closed with one employee being successfully redeployed.
- 3.3.2 There are ongoing discussions with staff at Grain Library.

3.4 Transformation of Early Help Services

- 3.4.1 A report was presented to Cabinet on 9 May 2017, providing details of transformation plans for Early Help services, including Children's Centres, through the establishment of integrated hub buildings in each of the existing four Children's Services areas to target resources and improve the impact of support for children and families.
- 3.4.2 Cabinet agreed the proposal to consult with trade unions and affected staff in accordance with the Organisational Change Policy, and to note that the Director of Children and Adults Services, in consultation with the Portfolio Holder for Children's Services (Lead Member) will consider and bring recommendations back to Cabinet on 8 August 2017.
- 3.4.3 Consultation with staff commenced on 13 June 2017 and ended on 20 July 2017.
- 3.4.4 On 8 August 2017, Cabinet approved the option to establish four integrated Family and Children Hubs and nine Children and Family Wellbeing Centres.

- 3.4.5 A staff briefing was held on 6 September 2017, to provide a summary to staff of the decisions taken over the summer period and to advise on the next steps.
- 3.4.6 Applications were invited from staff at risk of redundancy and interviews were completed.
- 3.4.7 Sixteen requests for voluntary redundancy were accepted, with a further four staff being notified of compulsory redundancy.
- 3.4.8 The new structure was effective from 1 January 2018.

3.5 Children's Administrative Support Service

- 3.5.1 The CASS structure was previously reviewed in August 2013. Since that time there have been a number of structural changes across Children's Services. A review of how the service works and operates was undertaken with the Transformation Team.
- 3.5.2 The structural changes proposed were based on a set of principles aimed at improvement and alignment of administrative staff with the pod model.
- 3.5.3 Formal consultation with staff/trade unions commenced on 18 August 2017 and ended on 1 September 2017. No counter proposals were submitted and applications were invited from staff at risk of redundancy. Interviews took place during October 2017.
- 3.5.4 The new structure was effective from 1 December 2017, no redundancies were made.

3.6 Cookham Wood

- 3.6.1 The service level agreement with Cookham Wood ended on 31 January 2018 with the designated social work posts within the current model being retained.
- 3.6.2 Formal consultation with all other staff commenced on 8 November 2017 and ended on 22 November 2017.
- 3.6.3 This resulted in sixteen staff (including 11 casual staff) leaving on the grounds of compulsory redundancy.

3.7 Children's Centre – closure of All Saints nursery provision

- 3.7.1 Following a public consultation on the future organisation of early help services, children's centres and early year's services, Cabinet met on 8 August 2017 and approved a new arrangement for services, to be in place by 1 January 2018. This is consistent with the decisions of Cabinet on 9 May 2017, and reflects the budget agreed by Full Council in February 2017.
- 3.7.2 Formal consultation with staff/trade unions commenced on 1 November 2017 in respect of closure. Following consultation a bridging solution was found for the period January – August 2018 and agreed by the Director following consultation with the Portfolio Holder for Children's Services (Lead Member).

3.7.3 With effect from September 2018, the All Saints Nursery (MHR) will cease to be a Medway Council establishment, and responsibility will be transferred to All Saints Primary Academy (Medway Anglican Schools Trust). It is expected that three staff will TUPE to the Medway Anglican Schools Trust.

3.7.4 With effect from September 2018, the Tramways Nursery will cease to be a Medway Council establishment, and responsibility will be transferred to Luton Infant School. It is expected that two staff will TUPE to Luton Infant School.

4 Summary of new Organisational Change proposals

4.1 Leisure Centre Catering

4.1.1 Following a TUPE transfer of 23 employees from Medway NORSE to Medway Council on 1 September 2017, a further decision has been taken to outsource the catering services at the Strood Leisure Centre and Medway Park.

4.2 Front Line services

4.2.1 The service is looking at a complete transformation of the Front Line Services division to deliver efficiency savings with an initial meeting being held with the Division's management team on 18 July 2017.

4.2.2 Phase One of the project has concluded with two Service Managers moving into post on 1 April 2018 with a further two starting on 1 July 2018.

4.2.3 One voluntary redundancy was accepted, we are awaiting for Phase 2 and 3 to start with an expected start date in the autumn.

4.3 Anti-Social Behaviour (ASB) team

4.3.1 Historically the Police have been responsible in large part for managing ASB at an operational level. However, Police funding has been under increased pressure and there have been legislative changes which strengthen local authorities' powers and tools for managing ASB. Therefore, the Council has been reviewing how best to manage ASB within Medway's Community Safety Partnership and a bespoke and specialised ASB team, based at Medway Police Station, to help provide a resilient and focussed approach to tackling ASB in Medway, has been created.

4.3.2 The creation of this team resulted in two redundancies effective 31 March 2018.

4.4 Adult Education – Chatham Grammar School for Boys evening centre

4.4.1 Due to lack of class numbers a decision has been taken to stop using the Chatham Grammar school site. This will result in the compulsory redundancy of 1 member of staff.

4.4.2 Consultation with the individual has concluded and resulted in one compulsory redundancy.

4.5 Library Services

4.5.1 A decision was taken to restructure the Library Services following changes in the branch network, a move towards a more digital service and the use of ICT and contractual arrangements to purchase stock and resources.

4.5.2 This resulted in the deletion of two posts. Consultation commenced in December 2017 and concluded on 5 January 2018, resulting in one employee being made redundant on 28 February 2018. The second employee decided to accept a reduced hours offer and remained in post.

4.6 Innovation Centre – Caretakers

4.6.1 A decision was taken to bring the caretaking function at the Innovation Centre back in-house from Medway Norse. This resulted in a TUPE transfer of one employee into Medway Council.

4.7 Planning

4.7.1 A decision has been made to move the administrative activities related to Planning from the BASS Admin hub into the Planning Team, with additional resources being agreed.

4.7.2 Work is on-going between the Service and HR in developing and evaluating Job Profiles and recruitment activity is planned to commence by the end of June 2018.

4.8 Innovation Centre - Catering Services

4.8.1 Medway Norse had advised the Council that they no longer wished to run the catering service at the Innovation Centre and the decision had been made to return the running of the service back to the Council, resulting in a transfer of services, but with no subsequent TUPE of staff. The transfer took place on 22 December 2017.

4.8.2 A further decision has now been taken to outsource the café service, with a new contractor being identified no later than May 2018. This may result in the transfer of three staff under TUPE to the new provider.

4.9 Rivermead School – catering contract

4.9.1 The catering contract for Rivermead School was awarded to Caterlink Limited.

4.9.2 Due to the timescales for admitted body status into the LGPS (pension scheme) a decision was taken to second the staff to Caterlink Ltd. for a temporary period from 1 August 2017 for a 6 month period ending 31 January 2018. A further extension to 31 August 2018 has been agreed pending the TUPE transfer of staff.

4.10 Abbey Court School – catering contract

4.10.1 Following a decision by the Abbey Court School to run their catering in-house, and following a period of consultation, five council staff TUPE'd to the School on 1 April 2018.

4.11 Bradfields School – catering contract

4.11.1 The catering contract for Bradfield's School has been awarded to Chartwell's Limited. Due to the timescales for admitted body status into LGPS (pension scheme), staff will be seconded to Chartwell's effective from 1 August 2018 for a period of no longer than 9 months.

4.12 Executive Support Team

4.12.1 It was proposed to replace the existing four Executive Support Policy Officer posts within the Children and Adults Directorate with four Executive Support Officer posts, returning the policy function to the respective services, funded by the services.

4.12.2 Consultation with affected staff commenced on 10 April 2018 and ended on 23 April 2018, there were no redundancies. The new structure was effective from 1 May 2018.

4.13 Financial Assessment Team

4.13.1 Since 1 November 2017, 98.7% of Financial Assessments have been completed over the phone. In addition and covering the same period, only 17% of the welfare benefit referrals received required a home visit.

4.13.2 With plans to introduce digital solutions to support the service area the proposed change would see further efficiencies and it has been proposed that the Financial Assessment Team should reduce by 2 FTE.

4.13.3 Consultation with staff commenced on 6 February 2018 and ended on 5 March 2018. The proposed reduction in staffing was achieved through two voluntary redundancies. The new structure was effective from 1 April 2018.

4.14 Partnership Commissioning – SEN Travel

4.14.1 The commissioning for SEN Transport was carried out under a contract with Medway Norse up to 31 July 2017, at which point the service was taken back in-house and two staff members were transferred into the Council from Medway NORSE.

4.14.2 The service is reviewing the staffing arrangements required to provide an effective integration of the SEN Travel Assistance commissioning and co-ordination functions into the Children's (0-25) Partnership Commissioning Team.

4.15 Deangate Ridge

4.15.1 Following the decision to close the Deangate Ridge Golf Course, formal consultation has concluded with staff with suitable alternative posts having been found for 10 staff. Three employees have been made compulsory redundant.

4.16 Licensing Shared Service

4.16.1 Initial discussions have commenced on a proposal to enter into a Licensing Shared Service with Gravesham Borough Council.

4.16.2 Reports will be presented to the Licensing and Safety committee on 26 June 2018; the Business Support Overview & Scrutiny Committee on 5 July 2018; Cabinet on 10 July and Full Council on 19 July 2018.

4.16.3 Staffing implications have as yet not been finalised.

4.17 HR Shared Services

4.17.1 Medway Council (MC) have entered into an HR Shared Service arrangement with Gravesham Borough Council (GBC) and two GBC staff joined MC under TUPE arrangements on 1 April 2018.

4.18 Category Management

4.18.1 A decision was made to restructure the Category Management team. The proposal was to reduce the number of Service Manager posts from 2.0fte to 1.0fte. Consultation commenced on 1 September 2017 and closed on 4 October 2017. The two incumbent Heads of Service voluntarily left the Council's employ on 30 November 2017, and a new Service Manager has been subsequently appointed.

4.19 Schools

4.19.1 An Academy order was received for the Maundene Primary School, the school joined the Inspire Partnership MAT on 1 January 2018.

4.19.2 An Academy order was received for the Hilltop Primary school, the school joined the Greenacre MAT on 1 February 2018.

5. Support for Staff

5.1 The Council recognises that change can be an unsettling time for everyone and every effort is made to support staff. In addition to the individual meetings with managers, the HR service provides support for affected employees and wherever possible we will redeploy individuals into new roles.

5.2 The Council's employee assistance provider (Care First) provides a free counselling and information line 24/7, 365 days a year. The Care First information line is managed by Citizen Advice Bureau trained advisers and can offer advice on a wide range of issues, which affect daily life such as employment, benefits, housing, debt etc.

5.3 We also encourage staff to talk to their Trade Unions to ensure that they get the necessary support. An Industrial Chaplain also provides opportunities for staff to contact her for support.

6. Risk management

- 6.1 The risks in relation to these changes relate to both the services and staff involved. For the purposes of this report it is important to focus on the risk to staff. In addition to the personal implications for employees there are also some risks in losing highly valued skills. Recruitment arrangements have been reviewed and every effort is made to redeploy staff with transferable skills. This will go some way to mitigate these risks.

7. Financial and legal implications

- 7.1 The proposed redundancies are being carried out in accordance with the Council's reorganisation procedure, and formal consultation with the trade unions and staff has taken place or is in the process of taking place.
- 7.2 The Council must ensure that the process for any proposed redundancies complies with the required statutory obligations to inform and consult employees both collectively and individually under Section 188 of The Trade Union and Labour Relations (Consolidation) Act 1992. The Council is also under a duty to inform the secretary of state under Section 193 of the above Act about proposed redundancies, where the relevant threshold has been met.
- 7.3 The process adopted must be in accordance with the Council's Organisational Change Policy (including redundancy) and comply with the general principles of fairness to minimise the risk of successful Employment Tribunal claims.
- 7.4 The savings resulting from the various restructures have been reflected in the Council's revenue budget. The savings resulting from the various restructures have been reflected in the Council's revenue budget, with redundancy costs met from use of a dedicated severance reserve and from individual budget areas.

8. Diversity Impact Assessments

- 8.1 Service DIAs have been completed on the areas subject to reductions.

9. Recommendation

- 9.1 The Committee is asked to note the present position and the support arrangements for staff.

Lead officer contact

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Appendices:

None

Background papers

None