



EMPLOYMENT MATTERS COMMITTEE

4 DECEMBER 2019

ORGANISATIONAL CHANGE

Report from: Carrie McKenzie, Assistant Director - Transformation

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Summary

This report covers new reviews and transfers for the period 31 May 2019 to 31 October 2019.

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 Committee 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 12 June 2019 are set out from paragraph 3 and are shown underlined. Reviews which have commenced and in some cases concluded since the last Committee meeting are detailed from paragraph 4 onwards.

3. Summary of ongoing Organisational Review consultations

3.1 Bradfields Academy – catering contract

3.1.1 The catering contract for Bradfields Academy has been awarded to the Compass Contract Services UK, trading as Chartwells. Two members of staff have been moved to the new provider's employment under TUPE transfer with effect from 01 July 2019.

3.2 Danecourt School – catering Contract

3.2.1 The catering contract for Danecourt School has been awarded to The Contract Dining Company Ltd. Two members of staff have moved to the new provider's employment under a TUPE transfer with effect from 01 July 2019.

3.3 ICT Strategic Review

3.3.1 A review of the ICT team has been undertaken by the Business Change team.

3.3.2 The reorganisation focussed on the management structure of the service. Consultation commenced 30 May 2019 and closed 13 June 2019. Five new Range 7 posts were introduced, each with technical ability in a specific area of ICT.

3.3.3 Three members of staff within ICT opted for voluntary redundancy. One member of staff was made compulsory redundant.

3.3.4 The new management structure was effective from 22 July 2019.

3.3.5 The new management team are now working with the Business Change team in designing phase 2 of the ICT review, which will consider all posts below management level.

3.4 St Peters Infant School

3.4.1 Consultation commenced 03 May 2019 and closed 10 May 2019. The restructure of teaching staff and teaching assistants was due to falling rolls. The changes are effective from 01 September 2019. Following Teacher resignations it was not necessary to make any teachers redundant. However, one Teaching Assistant post has been deleted with redundancy taking effect from 31 August 2019.

3.5 Crest Infant School

3.5.1 Consultation commenced 01 May 2019 and closed 10 May 2019 to restructure the teaching staff with effect from 01 September 2019. The reorganisation has taken place on efficiency grounds and to ensure there are no more than two part-time teachers teaching a class. Limiting to no more than two part-time teachers per class will ensure continuity of care to pupils and enable the school to meet its pupil needs. A total of 0.4fte teaching posts were deleted as of 31 August 2019.

3.5.2 Rationalisation of mid-day meals cover arrangements from 01 September 2019 will ensure that pupils receive continuity of care. Teaching Assistants will be required to cover the lunch break which has resulted in four staff being made redundant effective from 31 August 2019.

3.5.3 Rationalisation of hours of classroom based Teaching Assistants was proposed and a voluntary redundancy request was accepted by the school which meant no compulsory redundancies were required.

3.6 Client Financial Affairs

3.6.1 The evolution of the Direct Payments (DP) Monitoring team, Income and Debt recovery team and Exchequer services team was proposed following the move in October 2018 of 2 Exchequer Service's Officers from the finance department to the Personalisation and Client Finance department.

3.6.2 The structure had six teams, five of which had a senior or team leader responsible for day-to-day line management responsibility. The Exchequer Assistants were without a direct Team Leader, and therefore line managed by the Personalisation and Client Finance Lead.

3.6.3 This proposal combined exchequer services, income and debt recovery, and DP monitoring under a single team leader. This meant the deletion of 1.0fte at Range 4. A vacant Range 2 post was also deleted from the structure.

3.6.4 Consultation ended on the 03 May 2019. No counter proposals were received and no staff were made redundant as suitable alternative employment was offered. These changes came into effect from June 2019.

3.7 Front Line services

3.7.1 The service was 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.

3.7.2 Phase One of the project concluded with two Service Managers moving into their new posts on 01 April 2018, two further Service Managers moved into their posts on 01 July 2018 and one voluntary redundancy was received and accepted.

3.7.3 Phases 2 and 3 were due to start in autumn 2018 but were delayed. Informal consultation has just begun (October 2019) with the proposed high level structure being shared with staff for comment. Likely implementation for the proposed new structure is 01 April 2020.

4 Summary of new Organisational Change proposals.

4.1 St Benedict's Primary School

4.1.2 Due to budgetary pressures the Governing Body undertook a review of its support services to identify a way in which to deliver the services differently and realise cost savings to the school. It was proposed to incorporate the provision of midday meals supervision into the role and responsibility of Teaching Assistants and therefore delete 4 out of the 6 Midday Meals Supervisor posts (27 hours). The school undertook consultation with Teaching

Assistants and Midday Meals Supervisors during the period 07 June 2019 to 19 June 2019.

4.1.3 One Midday Meals Supervisor resigned during consultation. Three staff were issued notice of redundancy which took effect 31 August 2019.

4.1.4 Teaching Assistant staff have had their contractual working hours increased by 2.5 hours per week effective 1 September 2019 to facilitate lunchtime supervision. Teaching Assistant staff were already undertaking an additional 20 minutes of work at the start of the school day paid via claim form and this will now be replaced with an extra 30 minutes per day to provide cover during the lunch time period.

4.2. Wainscott Primary School

4.2.1 Following an Ofsted Inspection and under direction of the Department for Education, the School transferred to the Primary First Trust effective 1 September 2019. All employed staff will transfer under TUPE to the Trust and consultation took place with all staff during the period 19 June - 8 July 2019. Wainscott Primary School was converted to an academy on 1 September 2019.

4.3 Communications & Marketing Team

4.3.1 Proposals on the restructuring of the Communications and Marketing team created an uplift in the size and cost of the team. Posts were re-evaluated and new posts created. No redundancies were made. Consultation with staff commenced on 10 June and ended on 21 June 2019. Interviews were undertaken throughout July. The new structure was effective from 1 August 2019.

4.4 Revenues and Benefits

4.4.1 The Council has entered into a new shared management arrangement for Revenues and Benefits with Gravesham Borough Council.

4.4.2 This partnership/joint-working arrangement was made pursuant to section 113 of the Local Government Act 1972, which allows a local authority to place any of its officers, who consent to the arrangement, at the disposal of another local authority on such terms as may be agreed between the parties.

4.4.3 This involved the secondment of a Medway Council employee. This became effective from 1 October 2019. Should this arrangement progress to a full shared service, the business case would be presented to Cabinet at the appropriate time.

4.5 Waste Collection Contract

4.5.1 Medway Council's waste collection and street cleansing contract with Veolia expired on 30th September 2019. Procurement options were discussed at Cabinet on 6th March 2018. The contract was awarded to Norse. Ongoing mobilisation meetings took place throughout 2019 to ensure a smooth seamless transition. The retender resulted in the TUPE of approximately 250 staff which was effective from 1 October 2019.

4.6 **Housing Services**

- 4.6.1 A review of Housing Services has been undertaken by the Business Change team.
- 4.6.2 The Housing Service is currently split into two distinct areas, the Landlord Service (HRA) and Strategic Housing (General Fund). The proposals were to combine these areas to create one Housing service.
- 4.6.3 Formal consultation commenced with staff on 09 September 2019 and ended on 08 October 2019.
- 4.6.4 The new structure is effective from 01 November 2019. There were no redundancies as a result of this review.

4.7 **Old Vicarage**

- 4.7.1 Proposals are currently being considered to close the Old Vicarage Children's home provision in its current form, with a closing date of 07 February 2020. This would result in the loss of approximately 17.0fte.

4.8 **Medway Adult Education**

- 4.8.1 Medway Adult Education (MAE) delivers adult learning courses to adults aged 19+. The structure includes the post of Business Development and Partnership Officer where the post holder has been on secondment outside the service since November 2018. During this time new work arrangements have been put in place that are working well, which allow senior managers to form and establish partnerships.
- 4.8.2 This will result in the deletion of the Business Development and Partnership Officer post and the potential of one compulsory redundancy.
- 4.8.3 Consultation with the affected employee ended on 18 September 2019. The post was deleted from 01 October 2019.

4.9 **Rochester Pier**

- 4.9.1 A proposal was made to close the Rochester Pier leading to the deletion of the Rochester Pier Gatekeeper post and potentially one compulsory redundancy.
- 4.9.2 Consultation with the affected employee ended on 28 October 2019.

4.10 **Work Programme**

- 4.10.1 Work Programme is a welfare to work programme that was launched throughout Great Britain in June 2011. The Work and Health Programme was launched in November 2017 to replace Work Programme and Work Choice. Due to the changes in the programme the Council have given notice to Shaw Trust (a local partner) that the current contract is to be terminated. The organisations are working together to minimise uncertainty for staff and for a smooth TUPE transfer with an indicative date. 5 staff are potentially affected. The transfer date is still to be agreed.

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, 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:

Appendix A - Summary of reductions

Appendix B - Summary of transfers

Background papers:

None