

EMPLOYMENT MATTERS COMMITTEE

11 AUGUST 2020

ORGANISATIONAL CHANGE

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Summary

This report covers new reviews and transfers for the period 01 November 2019 to 30 June 2020.

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 Head of HR.

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

3. Summary of ongoing Organisational Review consultations

3.1 ICT Strategic Review

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

3.1.2 The reorganisation focussed on the management structure of the service. Consultation commenced 30 May 2019 and closed 13 June 2019. Five new R7 posts were introduced, each with technical ability in a specific area of ICT.

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

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

3.1.5 Following phase one of the review which concluded in July 2019, the new ICT Management team worked with the Business Change team to implement phase two of the review which looked at the remainder of the service. The formal consultation for this stage of the review ran from 3 December 2019 – 16 December 2019.

3.1.6 The appointment process was concluded by the end of January 2020. One member of staff opted to take Voluntary Redundancy; all other staff affected were successful in securing a new post within the structure.

3.2 Front Line services

3.2.1 The service was looking at a complete transformation of the Front Line Services (FLS) division to deliver efficiency savings with an initial meeting being held with the Division's Management team on 18 July 2017.

3.2.2 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.

3.2.3 The Business Change team worked with the service to progress phase 2 which had been delayed. Formal consultation started with the whole of Front Line Services on 29 November 2019. It was agreed with the Trade Unions that as this consultation ran over the Christmas and New Year period that the consultation would run for an extended period ending on 10 January 2020. The 1 April 2020 was the planned implementation date, however the situation with COVID-19 meant that recruitment to many of the posts within FLS was paused due to pressures on the service in dealing with the Council's response to the pandemic.

3.2.4 As the COVID-19 situation moved into the recovery phase the demands placed on the Assistant Director – Front Line Services and her Service Managers meant that the recruitment to posts could begin again. Before taking this decision, a survey was sent to all directly affected staff still awaiting interviews for new posts asking opinions on whether they would prefer to progress the selection process and to identify any circumstances we may need to be aware of (e.g. caring responsibilities or need to be isolating). The results of this survey showed that staff overwhelmingly wanted to continue

with the recruitment process, with 14 of the 16 staff confirming that this would be their preference. Recruitment to posts was therefore progressed, and the new structure went live on 1 July 2020.

3.2.5 As a result of this reorganisation, four staff opted to take Voluntary Redundancy and one staff member was transferred to Medway Norse under the TUPE regulations. There were no compulsory redundancies.

3.3 Revenues and Benefits

3.3.1 An intention to enter into a new shared management arrangement for Revenues and Benefits with Gravesham Council was presented. This replaced the current shared management arrangement that Gravesham have with Tonbridge and Malling Borough Council.

3.3.2 The partnership/joint-working arrangement will be 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.

3.3.3 This involved the sharing of 2 Medway Council employees. 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.

3.4 Old Vicarage

3.4.1 Following a consultation period from 19 November 2019 – 18 December 2019. The proposal to close the Old Vicarage children's home was agreed by Cabinet on the 14 January 2020.

3.4.2 5 staff secured other roles during the consultation period and therefore resigned. 2 staff took voluntary redundancy and 2 staff were redeployed to other areas of the council. 6 staff were made compulsory redundant.

3.5 Medway Adult Education

3.5.1 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.

3.5.2 This will result in the deletion of the Business Development and Partnership Officer post and potential of one compulsory redundancy.

3.5.3 Consultation with the affected employee ended on 18 September 2019. The post was deleted from 01 October 2019. The employee currently remains on secondment to another team within the Council, which has been extended to 31 October 2020. Redeployment opportunities are being sought.

3.6 Rochester Pier

3.6.1 Proposals to close the Rochester Pier impacting on the deletion of the Rochester Pier Gatekeeper post and potential of one compulsory redundancy.

3.6.2 Consultation with the affected employee ended on 28 October 2019.

3.6.3 Rochester Pier closed, and the employee was made redundant from their casual post from 5 November 2019.

4. Summary of new Organisational Change proposals.

4.1 Splashes Sports Centre

4.1.1 Splashes Leisure Centre will remain closed for the foreseeable future to enable a £5million refurbishment. Whilst the primary objective is to redeploy affected staff to other centres, there is a possibility of there being some compulsory redundancies.

4.2 Leisure Management Structure

4.2.1 Leisure services reviewed their management structure with proposals to reduce five managers down to four resulting in one redundancy. Formal consultation commenced with affected staff on 22 January 2020 and concluded 19 February 2020. One voluntary redundancy was accepted with employee leaving on 21 February 2020.

4.3 Leisure reception

4.3.1 In order to consolidate departmental administration in line with the restructured management structure (please see above 4.2.1) one post was deleted. Following consultation, the individual affected was successfully redeployed into another position in March 2020.

4.4 Strood Market

4.4.1 The closure of Strood market was approved by officers under delegated authority in May 2020. Due to the closure of Strood market, the hours of the Market Superintendent post were reduced from 37 to 25 hours per week. One employee was affected by the change and formal consultation took place between 16 June 2020 and 27 June 2020. The Employee accepted the reduction in hours and remained in post with effect from 6 July 2020.

4.5 Medway Adult Education

4.5.1 A change of structure to Medway Adult Education, which will better enable it to serve post COVID-19 Medway, whilst growing income streams and diversifying its offer. This is linked to the developing business plan being written for the service, covering the next 3-5 years.

4.5.2 Proposals involve the deletion of some vacant posts, creation of new posts, but overall an increase in the FTE, so this should not result in any redundancies. Potential implementation date of 1 September 2020.

4.6 GIS Shared Service

4.6.1 In discussions with management around a possible shared service arrangement for a GIS Service with Gravesham BC. Options paper being drafted.

4.7. Culture

4.7.1 The Business Change team have been working with the Head of Culture & Libraries on a review of the culture service. The period of formal consultation was postponed due to COVID-19. This decision is being reviewed regularly with the service and a consultation start date is hoped for late August 2020. The Business Change team have worked closely with the Head of Culture and Libraries to ensure that there will be no delays once the decision is made to progress with the reorganisation.

4.8 HR Services

4.8.1 The Business Change team is working with the Head of HR on a potential review of the HR services operating model. An initial review has been conducted and some high level options are being explored.

4.8.2 Informal workshops have been held with all of the HR team which has raised some common themes relating to payroll and the systems team. Therefore, the scope of this review has been extended to include payroll and systems in order to ensure a thorough review is undertaken.

4.9 Regional Adoption Service (RAA)

4.9.1 It is proposed that a new RAA is created through combining the adoption services for the three authorities of London Borough of Bexley, Kent County Council & Medway. These agencies wish to build on the success of their existing services to improve performance in meeting the needs of children who require permanence through adoption, by bringing together the best practice from each authority within a partnership model with the implementation date of the structure in early November 2020.

4.9.2 It is proposed that employees will remain employed by their existing local authority and continue to be employed under the respective terms and conditions of that authority.

4.9.3 Staff will also remain based in their current geographical area but will be required to work across the RAA as and when required to cover workloads and to ensure a consistent service is delivered across the region. The Partnership Agreement will be considered by Cabinet in September 2020.

4.10 Early Help Transformation Team

4.10.1 The Early Help Transformation Team are responsible for the delivery of The Troubled Families Programme. The Troubled Families Programme is a cross-departmental national government programme, coordinated by the Ministry of Housing, Communities and Local Government that Medway is required to deliver locally. Attached to this programme are a number of targets that have

been under review during each phase. Medway Council has now been given notice of future targets for the extended year of the Troubled Families Programme delivered in Medway, which required a review of the Early Help Transformation Team that is responsible for its delivery.

- 4.10.2 The government grant is ending in March 2021, it has been running for a few years but this year the grant has been significantly less than previous years, so therefore, we have had to make a reduction in staff in this final year.
- 4.10.3 The Early Help Transformation Team is currently structured with the positions of IFSS Business Unit Team Manager, Integrated Processes Manager, Data Quality and Claims Monitoring Officer, Early Help Framework & IFSS Trainer, Senior Admin Support Officer and Administrative/Data Support Assistant.
- 4.10.4 Formal consultation commenced with both trade unions and affected staff members on 29 June 2020 and this consultation period is due to close on 28 July 2020.
- 4.10.5 It is proposed that the role of IFSS Business Unit Team Manager be deleted as the role will be significantly diminished if all other proposals are implemented. It is proposed that the Integrated Processes Manager role be revised with additional responsibilities and renamed with a new job title. It is proposed that the Early Help Framework & IFSS Trainer role be deleted as the requirements of the role have significantly reduced. It is proposed that the Data Quality and Claims Monitoring Officer posts be reduced to 1.0 FTE due to a reduction in claims. It is proposed that the Administrative/Data Support Assistant post be deleted to a reduction in future work but the Senior Admin Support Officer post will remain with minor changes to day to day activity.

4.11 Adult Social Care Division – Management Structure

- 4.11.1 The previous reorganisations of the Adult Social Care Division in September 2017 and January 2019 resulted in the creation of generic locality based social work teams.
- 4.11.2 Teams were managed by Team Managers, who in turn reported into Operations Managers, which were new roles created as part of the September 2017 review.
- 4.11.3 Following these reviews it became difficult to determine how the responsibilities of Operations and Team Managers differed, which led to confusion with overlapping responsibilities and a lack of clear management accountability.
- 4.11.4 In addition, it was also noted that there was insufficient structured focus on quality assurance and service improvement activity within the service and that the review of the management structure was also needed to ensure that there was sufficient specialist capacity and focus within the service, especially at senior practitioner level.
- 4.11.5 The main part of this proposal was to delete all Operations Manager posts within the Division, and to use the funding from the deletion of those posts to create additional Senior Social Worker posts within the service, to provide sufficient capacity to manage specific areas of operational responsibility and

to provide additional capacity for Senior Social Workers to have a more specialist area of focus. This would also provide additional capacity for quality assurance and service improvement activity. There were a few other posts proposed for deletion, with some new posts created, whilst some other posts within the structure were proposed to receive minor changes with some of the job profiles proposed to be amended and updated accordingly as part of the review.

4.11.6 The consultation period commenced on 14 February 2020 and closed on 16 March 2020.

4.11.7 In light of the unprecedented impact of Covid-19 it was ultimately decided that the original proposal could not fully proceed at this time but there were some changes implemented as part of the review. No redundancies were made.

4.12 Student Social Workers in School Setting Services (SSWISS)

4.12.1 The service provision that SSWISS provided, supported up to 10 Student Social Workers in each academic year. The supported training gave the Student Social Workers access to training and induction opportunities available as a placement which worked across four schools which were selected Pupil Referral Units and academies, to focus on the inclusion of young people in society.

4.12.2 This post has been vacant since December 2018 and since then with joint working across the Children & Adults directorate, student placements have further developed with the assistance of an Advanced Practitioner, Workforce Development Team and other professionals that support students with a training plan during their statutory placements in Medway. All students are being placed in statutory settings, in accordance to the students meeting the requirements of their qualifications.

4.12.3 It was proposed that the current vacant post of the Social Work Student Unit Supervisor is deleted from the Children's structure with effect from 31 March 2020.

4.13 Work Programme

4.13.1 The Council gave notice to the Shaw Trust that the current Work Programme contract was to be terminated. This would result in the TUPE transfer of 5 staff.

4.13.2 Initially, both organisations were looking for a transfer date of 1 January 2020. However, Shaw Trust did not have a comparable pension scheme to offer Medway Council employees as required as part of the TUPE regulations.

4.13.3 Staff were fully consulted with throughout the process. Three employees resigned and sought employment elsewhere, one staff member was redeployed and one employee left due to her fixed term contract coming to an end.

4.13.4 The contract was officially handed back to Shaw Trust on 27 February 2020.

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 Employment Matters Committee is asked to note the present position and the support arrangements for staff.

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Appendices

Appendix A – Summary of Reductions as Reported

Appendix B – Summary of Transfers as Reported

Background papers

None