

EMPLOYMENT MATTERS COMMITTEE

2 DECEMBER 2020

ORGANISATIONAL CHANGE

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Summary

This report details new reorganisations of services and transfers under the TUPE regulations for the period 01 July 2020 to 31 October 2020 and updates on on-going reviews that have previously been reported at Employment Matters Committee but not concluded.

1. Budget and policy framework

- 1.1 The staffing implications of organisation change 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:
 1. no significant service policy implications or clear departure from existing Council policies;
 2. no expenditure in excess of budget;
 3. no growth in net expenditure beyond the current year;
 4. no changes affecting Directors or Assistant Directors;
 5. consultation with the Head of HR.

2. Background

- 2.1 This Committee considers new reorganisations of services and includes details of the transfer of staff to and from other employers under the TUPE regulations.
- 2.2 An update on on-going reorganisations that have been previously reported at Employment Matters Committee on 11 August 2020 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.

2.3 Whilst Members need to be apprised of all decisions taken in relation to early retirement and severance payments, it is important that any data provided does not risk individual employees being identified. Therefore, to avoid any breach of GDPR and in accordance with Section 40 of the Freedom of Information Act 2000 and Article 5 of the GDPR, this report will not release data that may identify individuals involved.

3. Summary of ongoing Organisational Review consultations

3.1 Splashes Sports Centre

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

3.1.2 The majority of staff have either found suitable alternative employment or remained as casuals on the Council's books. However, 7 employees have been made compulsory redundant as of 31 October 2020.

3.2 Medway Adult Education

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

3.2.2 Proposals involve the deletion of some vacant posts and creation of new posts. No redundancies incurred. No staff affected by the changes and therefore no consultation required.

3.3 GIS Shared Service

3.3.1 Initial discussions with management around a possible shared service arrangement for a GIS Service with Gravesham BC. Options paper being drafted. Discussions are ongoing.

3.4 Culture

3.4.1 A review of the Culture Service is currently being undertaken by the Business Change team to better align the service to the Council's vision to be a City of Culture. Formal consultation started on 2 September 2020 and closed on 22 September 2020. During the consultation period the level of engagement from staff was significant and as a direct result of staff feedback, the proposed structure was amended.

3.4.2. An additional period of consultation was undertaken on this revised proposal and this consultation period closed on 1 November 2020. Proposals involve the deletion of a number of roles, with the creation of some new roles. The Head of

Culture is currently working through comments received during this additional period of consultation before communicating the outcome to staff.

3.4.3. An interview and selection process will follow, and the planned implementation date is 14 December 2020.

3.5 HR Services

3.5.1 The Business Change team is working with the Head of HR on a review of the HR services operating model.

3.5.2 Informal workshops were held with all of the HR team which raised some common themes relating to payroll and the systems team. Therefore, the scope of this review was extended to include payroll and systems in order to ensure a thorough review.

3.5.3 The Business Change Team has worked with the Head of HR to develop a proposed new structure to address the common themes raised within the workshops, (which included issues such as capacity in relation to preventing casework, issues with communication and lack of investment in the HR/Payroll system), whilst also mitigating the current budget pressures within HR. Consultation with staff started on 21 October 2020 and will end on 20 November 2020.

3.6 Regional Adoption Agency (RAA)

3.6.1 The Regional Adoption Agency (RAA) has gone live with effect of 01 November 2020. The RAA has been formed by 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.

3.6.2 All employees have remained employed by their existing authorities with their existing terms and conditions.

3.6.3 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.

3.7 Early Help Transformation Team (EHTT)

3.7.1 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.

- 3.7.2 The government grant is ending in March 2021, it's been running for a few years but this year the grant was significantly less than previous years, which necessitated a reduction in staff in this final year of the programme.
- 3.7.3 The Early Help Transformation Team was previously 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.
- 3.7.4 Formal consultation commenced with both trade unions and affected staff members on 29 June 2020 and this consultation period closed on 28 July 2020.
- 3.7.5 3 counter proposals were received during the consultation period. Whilst not all the counter proposals were accepted, consideration was given to all of them. Several counter proposals made useful points concerning the resilience of the team and a need for more Data Quality and Claims Monitoring Officers to help support this compared to the 1.0 FTE originally proposed. Following the separate successful appointment of one of the team's apprentices to a new post the decision was made to use the budget from the vacant apprentice post to fund an additional 0.2 FTE in the Data Quality and Claims Monitoring Officer post.
- 3.7.6 The new structure for the team has now been implemented. Overall, there was 1 voluntary redundancy, 2 compulsory redundancies and 1 successful redeployment. 2 other staff members left the service during the process as they had successfully secured alternative positions externally outside of the Council.

4. Summary of new Organisational Change proposals

4.1 Oaklands Primary School Academisation

- 4.1.1 An Academy order was received for Oaklands Primary School and under the TUPE Regulations 2006, 62 employees transferred to The Westbrook Academy Trust with effect from 1 September 2020.

4.2 Luton Infant School

- 4.2.1 Following a period of consultation, on 1 September 2020, Luton Infant School closed and joined Luton Junior School in forming Luton Primary School. The closure resulted in the redundancy of a headteacher post.

4.3 Will Adams Pupil Referral Unit

- 4.3.1 Consultation commenced on 7 October 2020 to 23 October 2020 on the proposed restructure of the senior leadership team and support staff structure. The posts proposed as affected include 2 Assistant Headteacher roles, an Examinations Assistant, Family Liaison Officer, Receptionist and Finance

assistant. New roles are proposed which include a Deputy Headteacher, 2 Pastoral Manager roles and a Business Support Officer.

4.3.2 Where possible it is intended to slot existing personnel with relevant skills into the new roles and savings will be realised by deleting the vacant receptionist post however there are two potential redundancies. The new structure will commence on 1 January 2021 for business support staff and Summer term 2021 for teaching and pupil support.

4.4 Children's Administrative Support Service

4.4.1 A review of Children's Administrative Support is currently being undertaken by the Business Change team to strengthen and realign resource to support Social Workers to get on and do their best work. The consultation started 1 September 2020 and finished on 30 September 2020.

4.4.2 Following feedback from staff, and a number of counter proposals being received, the proposed structure was amended, and an additional period of consultation was held from 15 – 22 October 2020. The implementation date for the new structure will be 1 December 2020, it is unlikely that there will be any redundancies.

4.5 Digital Service

4.5.1 The Business Change team is assisting with a review of the structure of the Digital team. As the Digital Team build more and more online processes there is a requirement to not only add new innovation and functionality to the website but there is also a requirement to continually iterate and improve existing processes. This requirement is causing capacity issues within the team.

4.5.2 A consultation is currently being undertaken to reorganise the structure of the team in order to address these capacity issues. Consultation with staff started on Monday 2 November 2020 and will end on 16 November 2020.

4.6 Corporate Performance & Intelligence

4.6.1 The Business Change team is currently working on a review of the Corporate Performance & Intelligence team.

4.6.2 Following recent changes to the senior management structure, there is now an opportunity to rationalise the staffing structure for the Corporate performance hub and RCE Business Intelligence Team for the following reasons:

- To better use the skills, knowledge and experience of senior managers within the finance and business improvement division to improve the delivery of business intelligence, performance management and finance strategy
- To provide capacity to review the performance management framework for the Council
- To better use business intelligence and performance management information to inform business change

- To provide capacity to improve Corporate consultation and engagement
- To provide efficiencies in the delivery of performance management, risk and equalities

4.6.3 The proposal is that the Corporate Performance Hub and RCE Business Intelligence Team merge to form The Corporate Performance & Business Intelligence Team. Consultation on the proposals will start on 10 November 2020 and will run until 24 November 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 staff can have with their managers, the HR service provides support for affected employees and wherever possible we will help support the redeployment of 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. A Workplace Chaplain is also available to staff for support.

6. Risk management

Risk	Description	Action to avoid or mitigate risk	Risk rating
Loss of highly valued skills & knowledge	Should staff be made redundant then the council risk losing valued skills & knowledge	Redeployment of staff with transferrable skills	D3

7. Financial implications

7.1 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. Legal implications

8.1 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.

8.2 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.

8.3 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.

9. Recommendation

9.1 The Employment Matters 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 as Reported
Appendix B – Summary of Transfers as Reported

Background papers

None