

EMPLOYMENT MATTERS COMMITTEE

30 NOVEMBER 2021

ORGANISATIONAL CHANGE

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Summary

This report details new reorganisations of services and transfers under the TUPE regulations for the period 01 April 2021 to 30 September 2021 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 1 September 2021 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.
- 2.4 This report can be cross referenced with the Early Retirement and Redundancy Payments report which details the financial costs of retirement and redundancy some of which is as a result of organisational change.
- 2.5 The Organisational Change report and the Early Retirement and Redundancy report are dealt with as a separate item on the agenda for this meeting.

3. Summary of ongoing Organisational Review consultations

3.1. Access to Resources

- 3.1.2. The Business Change team are currently working with the Access to Resources (ART) team to reorganise the service.
- 3.1.3. The ART team are responsible for securing packages of care (POC) and residential/nursing placements for all adult social care clients. The proposals include the creation of a Brokerage Team consisting of Brokerage Officers and Senior Brokerage Officers whose role will be to deliver savings and cost avoidance through negotiation with providers regarding individual packages of care/placements and collective packages of care that sit with a single provider, by identifying elements of above average cost or double funding.
- 3.1.4. Consultation with staff started on 25 March 2021 for a period of 14 days.
- 3.1.5. Interviews were held and all staff were successful in securing a role within the new structure. The implementation date for the new service was 17 May 2021.

3.2. HR Services

- 3.2.1 The Business Change team is working with the Head of HR on a review of the HR services operating model.
- 3.2.2 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.
- 3.2.3 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 was held between 21 October 2020 and 20 November 2020.

- 3.2.4. Following this initial period of consultation, and as a result of input from staff, changes were made to the proposed structure resulting in a further period of consultation from 8 December 2020 to 22 December 2020.
- 3.2.5. The final structure was confirmed to staff before Christmas with notice of interests for posts in the new structure being invited in the new year. An interview and selection process was then undertaken taking into account ring-fenced posts and Notice of Interest applications from staff.
- 3.2.6. The review resulted in one application for voluntary redundancy, which was accepted. The new structure went live 1 April 2021.

3.3. Adult Social Care: CSOT / 147

- 3.3.1. The Business Change Team are supporting ASC with an organisational review of the Community Resource Centre, 147 Nelson Road (147) and the Community Support Outreach Team (CSOT).
- 3.3.2. 147 is a building-based service providing a structured programme of support, which promotes recovery and independence. Working with people in both groups and when possible on a one-to-one basis.
- 3.3.3. CSOT works with people in the community supporting recovery by developing resilience and life skills through individual support plans on both a short- and long-term basis.
- 3.3.4. Both teams have a wealth of experience in working with people with mental health support needs.
- 3.3.5. Prior to the pandemic a consultation on the future of 147 was undertaken. The consultation informed that 147 is a valued service. In November 2020, Cabinet agreed with the recommendation that the two teams should amalgamate.
- 3.3.6. CSOT and 147 work with the same service user group to achieve the same outcomes. It is evident that there is duplication of the work undertaken by the two teams. Amalgamation of the teams under a single manager will reduce duplication and increase capacity to support service users through more efficient use of staff.
- 3.3.7. An amalgamation of the two teams will also allow for an integrated approach to promoting users' wellbeing and independence.
- 3.3.8. A single team under one manager will be able to develop a modern inclusive person-centred team that supports adults of all ages to live independent lives and make full use of the resources available in the community including employment opportunities.

3.3.9 The formal consultation process to amalgamate the 2 teams commenced on 12 May 2021 and ran for a 14 day period, ending on 26 May 2021. There was one application for voluntary redundancy which was accepted. The new amalgamated service went live on 7 July 2021.

3.4. Public Health Programmes

3.4.1 The Business Change Team are supporting Public Health with a reorganisation of the Public Health Programmes Service, which is made up of 26 members of staff delivering strategic work and commissioning function to improve population level health and wellbeing.

3.4.2 In 2021, a paper was taken to CADMT proposing a change in responsibility for the Head of Partnership Commissioning, Resource and Youth. This change saw YOT and Troubled Families return to Children's Services and the responsibility for Partnership Commissioning Programme Lead for Children and Young People's Emotional Health move to the Head of Public Health Programmes.

3.4.3 It is proposed to realign responsibilities between teams in a cost neutral way to ensure the structures are suitable for current, and future, work.

3.4.4 Formal consultation with staff started on 14 May 2021 for a 14 day period ending on 28 May 2021. No objections to the proposals were raised during the consultation period and the new structure went live with effect from 9 July 2021.

3.5. Early Help Service – Children's Directorate

3.5.1. HR services are currently working with the Early Help Service in the Children's directorate to reorganise the service.

3.5.2. The Early Help Service within Children's Services is a crucial element of service provision to children, young people and families in Medway. Early Help encompasses a wide range of services and activities that build resilience and prevent children's and families' difficulties escalating and requiring statutory intervention. Early Help is carried out by individual practitioners, teams and services working in and around universal and specialist offers.

3.5.3 The Early Help Service aims to prioritise families whose circumstances indicate that without targeted intervention, their difficulties could escalate where the children or young person would be 'in need' or at 'risk of significant harm'. The Early Help Service also support families who have received statutory intervention and continue to need targeted support to sustain changes before being supported by community services.

3.5.4 The intention of this review is for the Early Help Service to realign to support and improve consistency and proportionality of services and resources to support children and their families. In addition, the realignment would offer staff clarity in relation to job roles and responsibilities and an opportunity for improved career progression, which is underpinned by accessible training, accredited qualifications and the introduction of a career pathway.

- 3.5.5 Consultation started with staff on 15 January 2021 and ran for 30 days, with the consultation period closing on 13 February 2021.
- 3.5.6 During the reporting period for this report shortlisting, interviewing and selection for roles in the new structure took place.
- 3.5.7 The implementation date for the new structure was 19 April 2021.

4. Summary of new Organisational Change proposals

4.1. Safeguarding & Quality Assurance (Children's)

- 4.1.1. The Business Change team have supported the Safeguarding and QA service with a review of the service following the implementation of the Signs of Safety practice model and a significant reduction in the number of Child Protection (CP) conferences.
- 4.1.2. Following a workshop with the Meeting Support Officers (MSOs) and management team, the Business Change team undertook interviews, observations and analysis of support needs with MSOs, CP Chairs and the IRO manager.
- 4.1.3. This workshop informed a recommendation to review the MSO structure to increase resilience and flexibility within the team. The structure proposed resulted in a reduction of 2.99 FTE.
- 4.1.4. Following some natural turnover within the team during this process, the reduction in FTE was achieved without the need for formal consultation with staff.
- 4.1.5. The Business Change team have supported the MSO team in the recruitment of a new Team Leader and assisting the managers of the team with streamlining processes, adopting better practice with corporate systems, and embedding a more collaborative way of working through behaviour change.

4.2. Child Protection Chairs

- 4.2.1. The Business Change team has supported with an on-going review to reduce the number of FTE in the Child Protection (CP) Chair team by 1 FTE in order to fund a change in the structure of the team.
- 4.2.2. Having agreed a suitable redundancy selection matrix with the Head of Service and Trade Unions, formal consultation with staff started on 18 August 2021 and closed on 1 September 2021.
- 4.2.3. During the consultation period, one member of the CP Chair team took the decision to resign, which negated the need for the redundancy selection process to be undertaken.
- 4.2.4. The changes to the structure were successfully implemented.

4.3. School Services

- 4.3.1. The Business Change team have successfully worked with the Head of School Services on a review of the team.
- 4.3.2. The aim of the review was to provide better resilience within the team and to reduce the number of direct reports to the Head of School Services.
- 4.3.3. Formal consultation with staff started on Tuesday 20 July 2021 and ran for a 14-day period ending on 3 August 2021.
- 4.3.4. No counterproposals disagreeing with the proposed changes were received during the consultation period and following an interview process, all displaced staff were successful in securing a role in the new structure. The new structure was implemented with effect from 1 September 2021 in time for the start of the new school year.

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

Background Papers

None