

Employment Matters Committee

29 January 2025

Organisational Change

Report from: Nicola Trainor, Head of Council Planning & Programmes

Author: Rebecca Merriman, Organisational Change Consultant

Summary

This report details new reorganisations of services and transfers under the TUPE regulations for the period 1 April 2024 to 30 September 2024 and updates on-going reviews that have previously been reported at Employment Matters Committee but not concluded.

1. Recommendation

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

2. Budget and policy framework

2.1 The staffing implications of organisation change are a matter for this Committee, which can decide on the employment policies and processes supporting any changes.

2.2 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; and
- consultation with the Chief Organisational Culture Officer.

3. Background

3.1 This Committee considers new reorganisations of services and includes details of the transfer of staff to and from other employers under the TUPE regulations.

- 3.2 An update on on-going reorganisations that have been previously reported at Employment Matters Committee on 6 June 2024 are set out from paragraph 4 and are shown underlined. Reviews which have commenced and, in some cases, concluded since the last Committee are detailed from paragraph 5 onwards.
- 3.3 A summary table of reorganisations can be found at Appendix A to the report. There were no TUPE transfers.
- 3.4 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.
- 3.5 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 because of organisational change.
- 3.6 The Organisational Change report and the Early Retirement and Redundancy report are dealt with as a separate item on the agenda for this meeting.

4. Summary of ongoing Organisational Review consultations

4.1 **Visitor Information Centre (VIC)**

- 4.1.1 Following the decision of Full Council on 29 February 2024 to close the Visitor Information Centre effective from 19 April 2024, formal consultation with the six staff at risk and trade unions commenced on 12 March 2024.
- 4.1.2 Formal consultation closed on 28 March 2024, suitable alternative employment was identified for five staff members within the service and notice of redundancy was issued to one staff member with a proposed redundancy date of 1 July 2024.
- 4.1.3 Suitable alternative employment was identified for the employee at risk of redundancy however, following a trial period, this was deemed not to be a suitable alternative role by the service, HR and the individual, and the redundancy came into effect on 29 July 2024. The associated figures of this redundancy form part of this EMC report.

4.2 **Family Group Conferencing (FGC)**

- 4.2.1 The Family Group Conferencing team sits within the Multi-Disciplinary Service which is a part of the wider Provider Services within the council's Children's Department. The national accreditation process highlighted inconsistencies around the Family Group Conference team structure against national and local partners.

- 4.2.2 Management therefore proposed to delete the role of Senior FGC Coordinator, R4 1.0fte and create a new role of Team Leader, R5 1.0fte. Consultation with staff and trade unions commenced on 16 April 2024 and concluded on 16 May 2024.
- 4.2.3 End of consultation responses have been sent to staff and trade unions, expressions of interest for the role of Team Leader were ring fenced and open to all staff within FGC. No redundancies are envisaged. A collective counter proposal was submitted by the team but this was not accepted.
- 4.2.4 The new structure went live as of 1 June 2024, there was one redeployment of an employee who was redeployed from a R4 to a R3 role, with salary protection. The Team Leader post was ringfenced to staff within the FGCC team. Interviews for the Team Leader post were held on 7 June 2024. The Team Leader post was appointed to from within the team effective from 10 June 2024. There were no redundancies.

4.3 **Cookham Wood YOI**

- 4.3.1 The HM Prison and Probation Service (Youth Custody Service) has operated a service level agreement with Medway Council for several years, to support children and young people in custody. The Youth Custody Service provides funding to Medway Council to provide a dedicated social work team consisting of one Designated Team Manager and two Dedicated Social Workers.
- 4.3.2 Inspectors raised an Urgent Notification in April last year, highlighting long-standing issues. The Youth Custody Service have worked hard to address urgent concerns. However, these further actions have not done enough to resolve the wider long-term issues, which negatively impact children. Over the next 2-3 months, all children and young people at Cookham Wood will be supported on a case-by-case basis through this transition and will be moved to different accommodation. The site of HMYOI Cookham Wood will be used to further boost adult estate capacity once all children have been moved.
- 4.3.3 Weekly meetings are being held with the three staff impacted and discussions are ongoing with Children's Service to identify suitable alternative roles/redeployment opportunities. No redundancies are envisaged.
- 4.3.4 Formal consultation with staff and trade unions commenced on 18 April 2024 and concluded on 24 April 2024 with the cessation of Cookham Wood on 12 July 2024.
- 4.3.5 Two staff were offered suitable alternative employment, and one staff member secured a promotion. Trial periods were undertaken and successfully completed. There were no associated redundancies.

4.4 **Parkwood Primary School**

- 4.4.1 Following a proposal for a new structure within Parkwood Primary School, formal consultation with staff began on 13 March 2024 and ended on 19 April 2024.

4.4.2 The consultation process resulted in six voluntary redundancies in various roles with a redundancy date of 31 August 2024. The new structure was implemented on 1 September 2024. The associated figures of these redundancies form part of this EMC report.

4.4.3 The school is going through a transfer to academy status. The school will transfer to The Primary First Trust from 1 January 2025.

4.5 **St Peter's Infant School**

4.5.1 A small restructure is taking place at St Peter's Infant School. Consultation ran from 31 January to 9 February 2024.

4.5.2 The staffing committee has confirmed that voluntary redundancy has been accepted for two Teaching Assistants and compulsory redundancy has been confirmed for one part time Teaching Assistant and one part time office staff member all with an effective redundancy date of 31 August 2024.

4.5.3 No teachers were affected by redundancy due to a resignation being received. The associated figures for the above redundancies form part of this EMC report.

5. Summary of new Organisational Change proposals

5.1 **Mayoral Service**

5.1.1 Following a decision from Cabinet on 13 February 2024 to reduce the budgeted establishment for the Civic and Ceremonial Officer role from 2fte to 1fte, formal consultation with staff and trade unions began on 7 May 2024 and concluded on 13 May 2024, there were no counter proposals received.

5.1.2 Following a recruitment process, one staff member was successfully appointed to the role of Civic and Ceremonial Officer and the unsuccessful candidate was issued a notice of redundancy, no suitable alternative employment was identified, and the redundancy was effective as of 20 June 2024. The associated figures of this redundancy form part of this EMC report.

5.2 **Innovation Park Medway (IPM)**

5.2.1 Cabinet agreed at the February 2024 Cabinet Meeting (Decision Number 31/2024) for officers to carry out a review of development options for IPM Sites (North & South) to inform the future strategic direction of the site.

5.2.2 There was not sufficient capital funding within the 2024-2025 financial year to retain the IPM Delivery Team and reallocate role functions onto other areas of regeneration activity. Capital funding for IPM is ring-fenced funding for defined outputs and not block funding that can be reallocated to other delivery streams.

5.2.3 A business case was created which reduced the budgeted establishment from 4fte to 2fte, with 3 staff members in scope. The deleted roles were IPM

Programme Manager, R7 1.0fte, Senior Regeneration Officer, R6 2.0fte and Principal Regeneration Officer, R5 1.0fte. Two new roles were created as part of the process including Regeneration Programme Manager, R8 1.0fte and a new Principal Regeneration Officer, R6 1.0fte. Formal consultation with staff and trade unions began on 23 July 2024 and concluded on 30 August 2024, there were no counter proposals received.

5.2.4 During the consultation process two resignations were received and accepted. An interview was held for the remaining affected staff member, and they were successfully appointed to the Regeneration Programme Manager post on 24 September 2024. One vacancy remains.

5.2.5 The new structure was implemented on 1 October 2024 and there were no associated redundancies.

5.3 ICT

5.3.1 The ICT department submitted a business case for a whole service restructure in October 2024. The rationale outlined why, as they look towards the future, it is imperative that their resources align with the Council's strategic goals and currently they do not. Their proposal outlined the need for organisational change within the ICT department to ensure their technology infrastructure and team are positioned to meet the challenges of tomorrow.

5.3.2 The current structure also accommodates several additional duties payments, covered by budget from vacancies. The proposed restructure aims to mitigate the need for these additional duties by rightsizing and bringing clarity to roles and responsibilities at all levels of the team.

5.3.3 Due to the technology needs of the organisation evolving over the last four years there has been a change in how ICT need to support some of the platforms and services offered.

5.3.4 It is proposed that 17 posts be deleted from the current structure and 17 posts created within the new structure, job profiles for the new posts will be made available during the consultation period.

5.3.5 Currently no redundancies are anticipated, however with the change in the roles there are a total of 15 employees potentially at risk.

5.3.6 Formal consultation with staff and trade unions began on 19 November 2024 and is due to close on 18 December 2024.

5.3.7 Invites for affected staff to apply for new positions and submit notification of interest are due to be sent on 08 January 2025.

5.4 Adult Social Care

5.4.1 An investment of £2.4 million was approved, by Full Council on 29 February 2024, to help strengthen and realign resources to support capacity and demand

across Adult Social Care. This included the creation of new posts and investment in additional existing posts, alongside investment into a sustainable recruitment campaign.

- 5.4.2 Formal consultation with staff and trade unions commenced on 6 November 2024 and ended on 5 December 2024. Several responses and counter proposals were received with some minor changes being made to the structure.
- 5.4.3 The majority of the staff have been jobs matched to roles within the new structure. Two staff have been offered suitable alternative roles but three staff are at risk of redundancy due to range differentials and type of roles, but staff are being supported and we are encouraging applications for the ring-fenced posts. Interviews are planned to take place in January 2025. Any remaining vacancies will then be advertised across Adult Social Care and externally if necessary.
- 5.4.4 The new structure is due to go live on 1 February 2025.

5.5 Fostering

- 5.5.1 There is a proposal to realign the structure of the Fostering Service. The current structure resources are to be reallocated to lead the efficient long-term cost savings and be effective for the service. It will allow the service to realign its workforce and resources with its current strategic objectives and meet the demands of the service.
- 5.5.2 The rationale includes among other structure changes, the creation of 1.0fte new Assistant Team Manager for the Kinship and Post Order Support team and the deletion of 3 roles, equating to 3.0fte all of which are currently vacant.
- 5.5.3 The consultation period commenced on 27 November 2024 with staff and trade unions and is due to end on 20 December 2024. The planned implementation date is 1 April 2025.

6. Support for Staff

- 6.1 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, alongside their line manager.
- 6.2 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 Citizens 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.
- 6.3 We also encourage staff to talk to their trade unions for further advice and support. A Workplace Chaplain is also available to staff for support.

7. 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 knowledge, skills, and experience	Redeployment of staff with transferrable knowledge, skills, and experience	D3

Likelihood A Very likely B Likely C Unlikely D Rare	Impact I Catastrophic II Major III Moderate IV Minor
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8. Financial implications

- 8.1 The financial impact resulting from the various restructures have been reflected in the Council's revenue budget, with redundancy costs met from individual budget areas.

9. Legal implications

- 9.1 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.
- 9.2 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.
- 9.3 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.

Lead officer contact

Nicola Trainor, Head of Council Planning & Programmes
01634 332594
nicola.trainor@medway.gov.uk

Appendices

Appendix A – Summary of Reorganisation Activity

Background documents

[Cabinet - 13 February 2024 Agenda and Minutes](#)