



Organisational Change Policy

Version Control:	
Document Name:	Organisational Change Policy
Version:	1
Author:	Director of Resources
Approved by:	Executive Committee/Council
Date Approved:	26 th May 2015
Review Date	26 th May 2018

ORGANISATIONAL CHANGE POLICY AND PROCEDURE

1 Introduction

Although the Council's policy is to avoid redundancies whenever possible, it may, from time to time, need to review its organisational structure to continue to offer value for money through effective and efficient service delivery. The aim of this policy and procedure is to ensure that on such occasions all employees affected will be treated fairly and consistently at a time of uncertainty and change.

1.1 Where redundancies are necessary, the Council will ensure that:

- The total number of redundancies made is kept to a minimum
- Employees and union representatives are fully consulted on any proposals and their implementation
- Every effort is made to redeploy or find alternative work for employees selected for redundancy
- Support and advice is provided to employees selected for redundancy to help them find suitable work when their employment has come to an end

1.2 This policy is compliant with relevant legislation and utilises as far as is practicable Advisory Conciliation and Arbitration Service (ACAS) best practice. It has been developed in consultation with UNISON.

1.3 This policy applies to all current employees, except those employed under JNC conditions for Chief Officers and Chief Executives for whom separate procedures, as detailed in the JNC handbooks applies. Whilst it is expected that it will be followed in all cases, it does not form part of the contract of employment.

1.4 Managers using this policy will maintain fairness and consistency of treatment in order to avoid discrimination in accordance with the Equal Opportunities Policy. In this procedure, 'manager' refers to Directors, Assistant Directors and Service Heads.

2 Principles

2.1 There are a number of key principles that underpin this Policy and Procedure in ensuring that employees are treated consistently, effectively and fairly:

- The Council will fully comply with its statutory obligations
- The proposed change will be outlined clearly setting out the reasons for it as well as the benefits to be gained
- Consultations will take place with union representatives at the earliest opportunity
- Wherever possible the Council will seek to mitigate against compulsory redundancy
- The Council will ensure affected employees are provided with information to enable them to understand the reasons for the proposed changes and the likely timescale
- Employees will be supported through the change
- Employees will have the right to be accompanied throughout the process by an accredited trade union representative or fellow employee.
- As far as possible objective criteria will be applied where a redundancy selection process is necessary
- Employees will have the right of appeal against selection for redundancy

3 Definition

3.1 Redundancy is defined as:

- The fact that the employer has ceased, or intends to cease, to carry on the business for the purposes for which the employee was employed, or has ceased, or intends to cease, to carry on that business in the place where the employee was employed: or
- The fact that the requirements of that business for employees to carry out work of a particular kind, or for employees to carry out work of a particular kind in the place where they were so employed, has ceased or diminished, or are expected to cease or diminish.

4 Communication and Consultation

4.1 Where a change becomes necessary, consultation will take place both with UNISON and the affected employees at the earliest opportunity.

4.2 UNISON will be advised in writing of:

- the reasons for the proposed redundancies
- the number and description of employees who are at risk of redundancy
- the total number of employees of that description employed by the Council
- the proposed selection criteria to be used
- the proposed timescale
- the compensation that will be applied

4.3 The consultations with UNISON will include discussions about:

- alternatives to redundancy
- mitigating against compulsory redundancies
- reducing the number of redundancies

4.4 Following this, all employees who will be directly affected will be invited to a meeting with their manager to discuss the re-organisation, and how this will affect them directly. The employee will be advised in writing what the meeting will be about and that they may bring an accredited trade union representative or fellow employee with them. At the meeting the employee will be advised if they are 'at risk' of redundancy. This will then be confirmed in writing.

5 Selection for Redundancy

5.1 The selection for redundancy will be straightforward if a specific post is being deleted and where there is only one post holder.

5.2 If there is more than one post holder in the defined role then all those postholders would be in a 'pool' at risk of redundancy. In these circumstances selection for redundancy will be undertaken as follows:

5.3 Stage One

Wherever reasonably practical and suitable the Council will invite expressions of interest in voluntary redundancy from within the pool, all of which will be considered. However the Council do reserve the right to retain employees where it is deemed to be in the best interests of the organisation.

5.4 Stage Two

A consultation exercise will commence and a selection matrix will be drawn up. The selection matrix will assess individuals at risk against clear criteria which will be fairly applied. The criteria will be discussed with UNISON. They will then be discussed with those directly affected. The criteria may be different in different circumstances but could include:

- Proficiency through skills, training and work performance.
- Relevant qualifications and training
- Operational and job requirements to meet the Council's current and future needs.
- Disciplinary record
- Attendance record

The relevant manager will objectively assess employees against the selection matrix and will discuss it with the individual employees during the consultation process.

6.0 Outcome

- 6.1 Following the outcome of the selection exercise, all affected employees will be invited to attend a meeting with their manager, to inform them of their individual position. The employee will be advised that they may bring an accredited trade union representative or fellow employee with them.
- 6.2 At the meeting, those volunteering for redundancy who it is agreed can be released, will be notified and a last date of service will be agreed, subject to acceptance of a formal offer by the individual.
- 6.3 Employees who are provisionally selected for redundancy following the application of the criteria will be informed of the fact. They will be given the opportunity to make representations if they feel that there has been a mistake in the application of the criteria.
- 6.4 In the case of the possible redundancy a further meeting will be arranged with the employee to discuss possible redeployment opportunities.

7.0 Redeployment

- 7.1 In all cases where an employee is at risk of redundancy and has not expressed an interest in voluntary redundancy, the Council will undertake to make its best efforts to support the employee in securing alternative employment within the Council.
- 7.2 A member of the Human Resources (HR) team will meet with the employee on a regular basis to support them in securing alternative employment and will alert them to possible vacancies for which they may be interested in applying.
- 7.3 A judgement as to whether the post is 'suitable alternative employment' or 'alternative employment' will be made considering relevant factor including the following, in relation to the employee's substantive post which is at risk of redundancy:
 - Job content
 - Pay
 - Grade
 - Status

- Location of job
- Hours
- Working environment

8.0 Suitable alternative employment

- 8.1 Where a post is considered to be suitable alternative employment, an employee who is at risk will be 'slotted' into the post. If there is more than one employee for which the post is considered to be suitable alternative employment, then a limited competition will take place by a suitable and appropriate assessment process and the selection will be made by reference to objective job related criteria.
- 8.2 An offer of suitable alternative employment will be made taking into account the factors set out in para 7.3. If an employee unreasonably refuses the offer the Council will not be liable to make a redundancy payment.

9.0 Alternative employment

- 9.1 The employee who is at risk of redundancy will be offered an interview for any vacancy for which they choose to apply and where they meet the minimum criteria.
- 9.2 All offers of alternative employment are subject to a minimum statutory four week trial period for both the employee and the Council. This period may be extended as appropriate with the agreement with the employee.
- 9.3 If during the trial period a decision is made by the manager that an employee will not meet the required standard, and that the role is not suitable for redeployment, the employee will be made redundant and will receive their rights to redundancy pay.
- 9.4 If during the trial period the employee gives notice to terminate the contract and the Council accepts that the alternative employment is not suitable, then the employee will be treated as having been dismissed on the grounds of redundancy. If the Council deems the alternative employment to be suitable then para 8.2 will apply.

10.0 Protection Arrangements

- 10.1 During the trial period the employee's salary and benefits, including notice period, will remain unchanged. Thereafter, the terms and conditions will be those related to the new employment and a new contract will be issued to reflect this. The employee's continuous service rights will be preserved.
- 10.2 However the Council may agree to protect the remuneration of the employee for a limited period which will not exceed one year.

11.0 Notice Entitlement

- 11.1 The amount of notice to which the employee is entitled on being made redundant is either the statutory or contractual notice period, whichever is the greater.

12.0 Time Off Work

- 12.1 An employee under notice of redundancy will be entitled to a reasonable amount of time off to look for alternative work, attend interviews etc. Employees wishing to take advantage of this right should make the appropriate arrangements with their manager.

13.0 Support

13.1 Staff under formal notice of redundancy will receive assistance to seek alternative employment or retraining. This will be co-ordinated by the HR Department.

14.0 Appeals

13.1 Employees have the right to appeal against a decision made regarding selection for redundancy under this policy and procedure to the Appeals Committee of the Council. The process to be followed procedure is outlined in the Council's Appeals Procedure.

15.0 Revision

15.1 This procedure will be reviewed regularly in consultation with UNISON, taking into account changes to any legislation, ACAS guidelines and best practice.

Approved at Council 26th May 2015