

OVERVIEW & SCRUTINY BOARD SUPPLEMENTARY AGENDA

6 February 2019

The following report is attached for consideration in relation to Agenda Item 5. This response is tendered to assist Members and was not available at the time of the publication of the main agenda.

5 CALL-IN OF A CABINET DECISION - ADOPT LONDON EAST (Pages 1 - 2)

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Head of Democratic Services

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Overview and Scrutiny Board - 6th February 2019

Call-in of a Cabinet Decision – RAA Adopt London East

1. *Concerns about the extent and adequacy of the consultation with staff representatives.*

New operating Model:

The proposed operating model of the East London Regional Adoption Agency will inevitably bring about change and new ways of working.

Informal consultation with staff in Adoption Services across Havering, Newham, Tower Hamlets and Barking and Dagenham has taken place in the development of proposals for a Regional Adoption Agency (RAA). We have communicated with staff in a number of ways during the last 12 months to ensure they are kept up to date and appropriately engaged. This work has included:

- ✓ **Monthly partnership board meeting to steer the future direction of the RAA and plan for implementation**
- ✓ The following design Principles were developed by service leads in adoption services across the four boroughs:
 - Local delivery - Responsive to the needs of the community
 - Close relationships with children's social workers
 - Economies of scale
 - Cross local authority working
 - Innovation and service improvement
 - Evolving service design – one size may not fit all
 - Provide value for money
 - Service informed through the voice of adoptive families
- ✓ **Early Staff Engagement Events**
 - Early staff engagement to discuss the DfE Regional Adoption Agency proposals and to obtain feedback on the emerging model took place in September 2018. This was followed by Task and finish groups (with staff from each borough), which focussed on the development of the three key thematic areas of adoption; co-producing the model with front line staff
 - Informal consultation meetings with staff have also taken place locally within the boroughs to address any early concerns;
 - Individual meetings with key representatives across the service and wider stakeholder groups
 - Training has also been provided for all adoption staff (across the boroughs) in new and innovative approaches, funded by the DfE grant.
 - We have also developed an all Staff newsletter to provide updates on recent progress in the development of the East London Regional Adoption Agency

These activities have enabled us to engage staff on our journey to becoming the East London Regionalised Adoption Agency at the earliest stage.

- ✓ **Early Union Engagement prior to Formal Consultation**
 - A joint early heads up union brief was agreed across the four boroughs and local unions meetings took place in September 2018. A further Joint union meeting took place in December 2018 with recognised union representatives (GMB, UNISON and Unite) from the four boroughs. We intend to continue to engage

fully with the trade unions and will be arranging a meeting in the next couple of weeks. We will also meet with the unions again once all cabinet reports have been signed off in each local authority prior to formal consultation.

It is important for elected members to note that officers are unable to start statutory formal consultation with the unions and staff until we have full sign off from cabinet in all authorities.

To ensure that there is a consistent approach to the consultation process across the four boroughs, all staff receive the same joint formal documents as part of formal consultation process i.e. the business case, proposed structure charts, job descriptions and the agreed approach to this joint change management process.

We can assure elected members that the consultation process will be managed in line with employment law, ACAS guidelines and best practice.

2. Clarity in relation to employment conditions of staff to be transferred.

In line with DfE guidance, Staff will transfer under TUPE regulations over to the new service hosted by Havering Council. Given the changes and the new ways of working which are envisaged in terms of a single adoption service function, as well as informing/consulting as part of the TUPE process, we are likely to consult with staff and unions on the new structure and job descriptions triggering a change management process.

To ensure that employees affected in the four boroughs are treated fairly throughout the consultation period, a joint change management terms of agreement has been agreed with the HR leads across the four boroughs which we have shared with trade unions.

As part of the preparation for formal consultation, we are undertaking a comparison of the terms and conditions of each local authority. Once finalised we will engage with trade unions in the first instance and then with staff prior to formal consultation.

We will continue with the exercise and engagement with trade unions in order to reach an agreement prior to formal consultation.

3. Clarity about the impact on staff impacted by the proposals.

Employees involved in the early discussions have spoken positively about the new model and direction of travel, however, it difficult to predict the full impact on staff. In line with the statutory consultation guidelines and best practice, staff will have the opportunity during formal consultation period to attend joint meetings and individual consultation meetings to discuss their individual concerns and circumstances and how the change process affects them. We have agreed with the other local authorities that if one of their employees is displaced through this process then discussions will take place to redeploy in their council prior to the transfer. We will complete a full equality impact assessment for staff across the RAA as soon as we have confirmation from cabinet and full details of the due diligence information.

Members should note that we are working in partnership with colleagues across the local authorities in the RAA to ensure that informal and ultimately formal consultation process is meaningful and issues raised by staff and the unions are resolved, where possible, when they arise.