

London Borough of Havering

Organisational Change & Redundancy Policy & Procedure

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Organisational Change & Redundancy Policy & Procedure

Section One: Policy and Procedure Overview

1. Policy Statement

- 1.1 The Council recognises its duty to deliver public services in the most cost effective way possible and the need to remain responsive and flexible in the way service delivery is organised.
- 1.2 Where this leads to the need to make changes to the organisational structure which puts one or more employees at risk of redundancy, the Council is committed to manage such changes in a fair, consistent and transparent manner while communicating in an open and honest way.
- 1.3 The Council will make every effort to minimise the number of compulsory redundancies and wherever possible will seek to achieve reductions in employee numbers through natural wastage, deletion of vacant posts reduction of the use of agency workers, voluntary redundancy, early and flexible retirement and redeployment.

2. Scope of this Policy

2.1 This policy only applies:

- where an organisational change proposal deletes (wholly or in part) any established post and which may put one or more employees at risk of redundancy or where any other organisational change proposal may put one or more employees at risk of redundancy, or
- when changes are required to employees' terms and conditions of employment **without** deleting or reducing (wholly or in part) any established posts – for example (list not exhaustive): - changes in working hours (excluding reduction of hours)
 - changes in pay and benefits
 - changes in methods of working

(Supplementary Management Guidance has been produced which should be followed in the case of the second bullet point above).

2.2 This policy does not apply where any organisational change proposal does not put any employee at risk of redundancy, including, for example where:

- it is proposed to create additional posts
- it is proposed to delete vacant posts
- it is proposed to change the reporting line of existing posts □ it is proposed to transfer employees under the Transfer of Undertakings (Protection of Employment) Regulations

2.3 This policy applies to all Council employees except:

- Those employed in schools
- Those employed under the JNC for Chief Executives and the JNC for Chief Officers Conditions of Service

Note: Agency Workers are not employees of the Council and therefore are not included within the scope of this policy.

3. Policy Principles

Employee Consultation

- 3.1 Where changes to the organisational structure puts one or more employees at risk of redundancy, the Council is committed to genuine and meaningful employee consultation which includes all employees affected by the proposed organisational change and their recognised trade union representatives.
- 3.2 Employee consultation must provide mechanisms for a two-way dialogue with management responding to any alternative proposals and options put forward during the employee consultation period. Management may issue updated parts of the initial organisational change proposal report during the employee consultation period in response to issues raised and feedback received.
- 3.3 The Council is committed to commencing employee consultation at the earliest possible stage with a view to reaching agreement before decisions are taken.
- 3.4 The term “employees at risk of redundancy” is derived from the statutory requirements relating to employee consultation on proposed redundancies. It refers to all employees that are covered by the organisation change proposal that may result in the whole or partial deletion of their post (or other significant amendment to their employment contract which could give rise to a dismissal for reason of redundancy) irrespective of the likelihood for that employee to be placed into another post through assimilation, ring-fencing or redeployment processes.
- 3.5 Employers are required by law to notify the relevant central government department (and the recognised trade union representatives of the affected employees) of any proposal to give notice to dismiss 20 or more employees as redundant at one establishment (defined as the whole of the Council except schools) within a period of 90 days or less. Employers must provide the information below:
- The reasons for the proposals
 - The numbers and descriptions of employees it is proposed to dismiss as redundant
 - The total number of employees of any such description employed at the establishment in question
 - The proposed method of selecting the employees who may be dismissed
 - The proposed method of carrying out the dismissals including the period over which dismissals are to take effect
 - The proposed method of calculating any redundancy payments other than those required by statute

- The number of Agency Workers working temporarily for and under the supervision and direction of the employer, the parts of the employer's undertaking in which those Agency Workers are working, the type of work those Agency Workers are carrying out and the substantive post titles and grades of the posts against which those Agency Workers are held

3.6 Employee consultation must cover:

- Changes within the service, such as changes to ways of working, changes to organisation structure and the number/type of jobs
- Any other proposals contained within the organisational change proposal report, or that have been documented/discussed during the employee consultation process
- Details of any proposed assimilation and ring-fencing groups
- Details of the next steps after closure of employee consultation, including key dates for commencing the Large Consultation Ring Fence

3.7 It is a statutory requirement that employee consultation must begin prior to the decision to issue individual notices of redundancy and must begin at least:

- 30 days before the issue of individual notice of redundancy in a case where between 20 and 99 redundancy dismissals are proposed at one establishment within a period of 90 days or less
- 45 days before the issue of individual notice of redundancy in a case where 100 or more redundancy dismissals are proposed at one establishment within a period of 90 days or less

3.8 Subject to agreement with the trade unions, the employee consultation period may conclude earlier than at the end of the statutory 30/45 day period where employee consultation can be shown to have genuinely been completed before that date. In such circumstances, individual notices of redundancy could be issued before the end of the statutory 30/45 day employee consultation period.

3.9 Generally, organisational change proposals to cease to carry out work of a particular kind (e.g. to close a service area) will lead to the deletion of a post or posts and the consequent identification of the postholder(s) as at risk of redundancy. There will however be occasions where the organisational change proposal will require that similar posts (e.g. at the same grade) in a service area are to be reduced in number. In these circumstances a system of ring-fencing would be introduced whereby all employees in the similar posts are required to compete through a closed selection procedure for the residual posts. The employees remaining unplaced after this exercise will be given notice of termination by reason

of redundancy. The criteria for selecting one or more employees for redundancy will be a cascade selection process with the employee's skills, ability and competence assessed against the relevant job profile as the primary criteria, with any disciplinary record (that has not been disregarded) being used in the event of 2 or more employees being assessed as equal against the skills, ability and competence criteria. In these circumstances it may be necessary to complete a 'Redundancy Selection Matrix' which is available from the Operational HR Team who will also be able to provide further advice and support.

3.10 With the exception of selection interviews under the Large Consultation Ring Fence or Redeployment processes, employees may be supported by their trade union representative or work colleague at any meeting associated with the organisational change process.

3.11 Recognised trade union representatives will be given access to employees affected by the organisational change proposal throughout the organisational change process.

Large Consultation Ring-Fence, Assimilation and Ring-Fencing

3.12 The term "Large Consultation Ring-Fence" refers to all employees identified in the organisational change proposal report as being directly affected by the organisational change proposal.

3.13 Fixed term employees will be included in the "Large Consultation Ring Fence" and be entitled to equal consideration for posts and given the opportunity to apply for new or vacant posts in the new structure alongside permanent employees where their fixed-term contract states the purpose of the contract is to cover an established post on a short term or fixed term basis (excluding cover for an absent employee e.g. maternity cover, secondment, long term sickness, etc.) and the contract was issued before the Service Area was aware of the impending restructuring.

However, fixed-term employees will not be included in the "Large Consultation Ring-Fence" or entitled to equal consideration for posts and given the opportunity to apply for new or vacant posts in the new structure alongside permanent staff where:

- their fixed-term contract states that the purpose of this post was to cover an absent employee e.g. maternity cover, secondment, long term sickness, etc. This type of contract will end when the employee for whom the cover is provided returns to their substantive post;
- their fixed-term contract specifically states that it was for additional work or a project which is a temporary addition to the establishment

and there are no permanent staff carrying out the same role. This type of contract will end when the work is completed or funding for the work finishes;

- their fixed-term contract states that the purpose of this post was to cover a short term need and/or to provide cover during the period of the restructuring and the contract was issued after the Service area was aware of the impending restructuring.

To exclude fixed-term employees from consideration for posts in the new structure, the Service area must have communicated with employees and the trade unions to inform them of the impending restructuring within a reasonable timescale.

3.14 Employees that are on secondment, acting up or working “out of post” for any reason will be considered on the basis of their **substantive post only** with regard to the Large Consultation Ring-Fence and the Assimilation/Ring-Fencing processes.

3.15 The term “Assimilation” refers to the process by which an employee (within a Large Consultation Ring-Fence), who occupies a post that may be wholly or partially deleted or whose employment contract may be significantly amended, is moved to occupy a different post. An employee may claim an “assimilation right” where there is at least a 65% match between their current substantive post and another vacant post. In order to determine this match the job profile criteria will be weighted and the employee will be required to meet at least 65% of the weighted criteria.

3.16 The term “Ring-Fencing” refers to the process by which an employee (within a Large Consultation Ring-Fence), who occupies a post that may be wholly or partially deleted or whose employment contract may be significantly amended, has the right to be considered in the first instance for another vacant post where there is a strong match between their current substantive post and the other vacant post but the degree of match (as determined in 3.15 above) is less than 65%.

3.17 Initial “Ring-Fencing” will be based on new posts at the same grade, one grade higher and two lower than the grade of the existing substantive post. Employees may seek to establish an assimilation claim to posts outside of these parameters but will need to evidence a 65% assimilation match. Assimilation to posts that are more than 2 grades lower than the substantive post will not require an interview and may attract only partial pay protection.

3.18 There is no limit on the number of assimilation claims an employee may claim or number of posts to which an employee may be ring-fenced.

- 3.19 Where there are numerous organisational change proposals running at the same time and some employees may be identified for possible assimilation and/or ring-fencing across more than one of these proposals, employees will be invited to express an order of preference for the posts to which they have assimilation rights and/or for the posts to which they are ring-fenced. In the first instance, employees can only be considered against posts in a particular organisational change proposal if they are directly impacted by that particular organisational change proposal.
- 3.20 All posts within the organisational change proposal will be initially ring fenced to the employees within the corresponding Large Consultation Ring-Fence.
- 3.21 Within each Large Consultation Ring-Fence there will be smaller ring fences made up of employees with assimilation rights and employees for whom there is a less than 65% match between their current substantive post and another vacant post in that organisational change's new structure.
- 3.22 The different factors affecting the order of priority of different assimilation and ring-fencing scenarios are attached at **Appendix 1**.
- 3.23 With the following exceptions, the assimilation and ring-fencing selection events will follow the process set out in the Council's Recruitment & Selection policy:
- Given the number of selection panels often required to support the implementation of multiple organisational changes in short periods of time, assimilation and ring-fencing selection panels may in some cases comprise just 2 members. The diversity of the panel members should be considered but will not be prescribed. There is no requirement for HR to attend selection interviews
 - There is no requirement for employees to submit an application form or supporting statement for interviews held at Large Consultation Ring Fences 2, 3 and 4 (Direct Competitive Assimilation and Competitive Ring-Fence).
 - Feedback should be offered to all interviewees.
- 3.24 After these smaller ring-fences have been resolved, the Council will seek to appoint employees within the Large Consultation Ring-Fence to any remaining vacant posts within that organisational change's new structure.

3.25 Posts which are included in a ring-fence are not necessarily automatically considered as being “suitable alternative employment” for employees within the ring-fence. Whether or not a specific post is suitable alternative employment will depend on such issues as pay, job content, work patterns, working hours, status, place of work and will be determined on a case by case basis by the Lead manager in conjunction with HR.

Notice of Redundancy

3.26 Employees at risk of redundancy who have not been appointed to a post within the organisational change’s new structure will be issued with a notice of redundancy and declared a Redeployee.

- 3.27 Normally, notices of redundancy are only issued at the conclusion of the Large Consultation Ring-Fence process. However, there may be circumstances where it is necessary to issue notices of redundancy before the conclusion of the Large Consultation Ring-Fence process.
- 3.28 If an employee at risk of redundancy is ring-fenced to posts across more than one Large Consultation Ring-Fence, the employee will normally only be issued with a notice of redundancy and be declared a Redeployee after all their Large Consultation Ring-Fences have been completed. However, there may be circumstances where it is necessary to issue notices of redundancy before the conclusion of all of the Large Consultation Ring-Fence processes.
- 3.29 The contractual notice period for redundancy purposes is 12 weeks for all employees (except those on School Teachers Pay & Conditions where fixed notice periods are set).
- 3.30 Employees have the right to appeal against any dismissal for reason of redundancy.

Appeal against Redundancy

- 3.31 Employees may submit (in writing) an appeal against selection for redundancy to the Director of HR & OD (or representative) within 5 working days of receipt of the notice of redundancy.
- 3.32 The appeal will be heard by the Redundancy & Redeployment Panel chaired by a Director. The appeal should normally be dealt with within 15 working days of its submission unless exceptional circumstances require a longer timescale. The employee will be notified of the outcome of the appeal within 5 working days of the hearing. The decision of the Redundancy & Redeployment Panel will be final and there is no further right of appeal.

Redeployment and Redeployees

- 3.33 The term “Redeployee” refers to employees that have been issued with a notice of redundancy.
- 3.34 For the purposes of this policy the term “Redeployment” refers to the process of finding suitable alternative employment for an employee at risk of redundancy.
- 3.35 Employees that are on secondment or working “out of post” will revert back to their substantive post with regard to the Redeployment process.

- 3.36 Posts which are considered as “suitable alternative employment” will usually be graded no more than one grade higher or two grades lower (up to a maximum of 8 spinal column points) than the employee’s substantive grade. Alternative work would be suitable if the provisions of the new contract of employment as to the capacity and place in which the employee would be employed and the other terms and conditions of employment would not differ from the previous contract, or, where there are differences, the work is still suitable in relation to the employee. Whether or not a post is suitable alternative employment will depend on such issues as pay, job content, work patterns, working hours, status, place of work and would be determined on a case by case basis by the Lead Manager in conjunction with HR.
- 3.37 All existing vacancies that are in budget for the financial year (including posts currently filled by Agency Workers) should be made available to Redeployees first before being advertised more widely. The Hiring Manager should advertise these roles using the Council’s Recruitment system for a minimum of 10 working days. Exceptions may be agreed where it can be evidenced that a post will be subject to a later organisational change proposal that is due to commence employee consultation within 3 months, or where the vacancy has a legal requirement for a qualification to carry out the role, or needs specialist knowledge/skills and these are not likely to be found amongst those currently in the pool of redeployees.
- 3.38 Redeployees need only meet the minimum criteria for the vacant post (or could meet the minimum criteria with a reasonable amount of training) in order to be granted an interview. If no Redeployees apply, the post will be released following the Council’s Recruitment & Selection policy.
- 3.39 The selection interview process for Redeployees will be managed in accordance with the Council’s Recruitment & Selection policy. Where the vacancy closing date is after the redeployees last day of service, every effort should be made to interview the redeployee before their employment is terminated. Managers are required to work with HR to ensure that every effort is made for this to happen.
- 3.40 The Council are legally required to offer women on statutory maternity leave who are under notice of redundancy any suitable alternative employment available. The alternative post must be suitable and appropriate and not substantially less favourable than the previous contract. There is no requirement for the woman absent on maternity leave to compete for a suitable alternative post. This does not mean however that the employee cannot be selected for dismissal by reason of redundancy.

3.41 Employees will continue to be employed in their service area until they are redeployed or their employment terminated. The normal line management arrangements will continue to apply and the manager should support the employee to continue to seek alternative employment.

Trial Period

3.42 Employees who are at risk of redundancy are entitled to a 4 week trial period if they are offered redeployment into a role considered suitable alternative employment but where the terms and conditions differ wholly or in part.

3.43 Employees will be paid the grade and allowances applicable to the new post from the start of their trial period.

3.44 The trial period can only be for 4 calendar weeks (including any period when the place of work is closed) unless an extension is agreed before the trial period commences. Any extension must be to allow for additional time for retraining and for no other reason. It must be for a defined period with the end date specified and recorded in writing.

3.45 If the employee is still completing their probation period when they commence the trial period, the probation period will continue in the new role.

3.46 If at the end of the trial period the alternative role is not deemed to be suitable the employee will continue to be considered at risk of redundancy from their substantive post. If the employee is still within their notice of redundancy period they will return to their substantive role whilst considering other suitable opportunities for redeployment.

3.47 If at the end of the trial period the employee and Line Manager disagree whether a post is suitable alternative employment, the relevant Director will make the final decision on whether the post is, or is not, suitable alternative employment.

3.48 If the employee refuses the offer of redeployment into a post that the Council considers to be suitable alternative employment, the Council will not continue to search for other suitable alternative employment opportunities although the employee may wish to apply for other roles within the Council which are available under open recruitment arrangements. Such a refusal would mean that the employee's employment with the Council would still terminate for reason of

redundancy at the end of notice of redundancy period and that the employee would not be entitled to a redundancy payment.

Pay Protection

3.49 Employees assimilated or redeployed into a post at a lower grade or spinal column point than their substantive role (agreed to be suitable alternative employment) will receive protection of their basic pay.

Where an employee is assimilated or redeployed into a role that is a maximum of 2 grades or 8 increments lower than their substantive role, they will receive pay protection at their current basic salary for a period of six months full pay plus three months half pay from the date of appointment to the new role.

Where an employee is assimilated or redeployed into a role that is more than 2 grades or 8 increments lower than their substantive role, the employee's pay will be protected by up to a maximum of 8 spinal column points from the top of the grade of the post into which they have been redeployed for a period of six months full pay plus three months half pay protection from date of appointment to the new role.

All employees on School Teachers Pay & Conditions, whether employed on a full-time or part-time basis, who are redeployed as teachers shall receive protection to their salary and allowances in accordance with the current edition of the School Teachers Pay & Conditions document.

In relation to basic pay only (i.e. value of the relevant spine point) pay protect (in all organisational change circumstances) will be for a period of six months full pay protection plus three months half pay protection.

Pay protection will not apply to contractual overtime or any other allowance/payment with the following exception:

3.50 Shift allowances and Enhancement Allowance payments only will be protected for a period of six months following the T&C Implementation Date.

3.51 Shift allowance and Enhancement Allowance payments will not be protected following the Implementation of any other organisational change.

3.52 The original employing service will meet the cost of any pay protection.

Redundancy Payments

3.53 Redundancy payments (including Voluntary Redundancy payments) are calculated on the same basis as statutory redundancy pay with the exceptions that an actual weeks pay is used (i.e. the statutory maximum week's pay is not applied) and that a maximum cap of £30,000 is placed on redundancy pay. The Redundancy Pay Ready Reckoner is attached at **Appendix 2**. Voluntary Redundancy payments are not enhanced. Employees who have been issued with a notice of redundancy, who have less than 2 years continuous local government service on their last day of service are not entitled to a redundancy payment.

Re-employment

3.54 Employees made redundant will not normally be re-employed or reengaged as agency workers or consultants/contractors by the Council for a period of 12 months from their last day of service unless there are exceptional circumstances as determined by the relevant Director.

Effective Date of Policy

3.55 Unless otherwise agreed, the effective date of any revision to this policy will be one calendar month after the date of approval of the revised policy, at which point the revised policy will be applied to any organisational change proposal for which employee consultation has not already commenced.

4. Procedure overview

4.1 The 3 key phases and the key actions within in each phase are summarised below. A template procedure process flow is attached at **Appendix 3**.

4.2 Planning and Preparation

Key actions include:

- Making the case for the change in principle
- Assessing the impact on equality and minimising negative impacts particularly in relation to the protected characteristics as defined within the Equality Act 2010
- Obtaining HR, Finance and Legal advice and support
- Planning the timetable to manage the change
- Preparing the organisational change proposal report
- Obtaining authorisation to commence employee consultation

4.3 Employee Consultation

Key actions include:

- Launching and carrying out meaningful formal consultation with employees and trade unions throughout the consultation period (including any employees who are on maternity leave, secondment or absent due to sickness)
- Considering any approach to voluntary redundancy
- Resolving any issues relating to the assimilation and ring-fencing proposals
- Proactively seeking to close consultation as soon as possible for the best interests of those involved
- Ensuring all comments/feedback have been responded to

4.4 Implementation

Key actions include:

- Finalise and obtain sign-off of organisational change report
- Finalise any remaining voluntary redundancy requests
- Undertake assimilation and ring-fence processes
- Issue notices of redundancy
- Undertake redeployment and trial period processes
- Resolve any appeals against redundancy

5. Links to other policies/procedures

- 5.1 All actions taken will be in keeping with the Council's Equality in Employment policy.
- 5.2 Under the Equality Act 2010, the Council has a duty to consider and make 'reasonable adjustments' for disabled employees. Specific consideration should be given at each stage of the process to ensure that disabled employees are not placed at a disadvantage for a reason related to their disability.
- 5.3 The processes detailed in this policy must be used to deal with any issues or grievances arising from the application of this policy. If an employee wishes to raise a grievance whilst they are subject to the organisational change process they must do so in accordance with the provisions of the Council's Grievance policy. The receiving manager will determine if it is appropriate to deal with the grievance through the processes already detailed in this policy or whether it is appropriate to deal with the grievance through the Grievance policy/procedure.
- 5.4 This policy also links with the Councils Recruitment & Selection policy

Section Two: Procedure

1. Key Roles and Responsibilities

- 1.1 The key roles and responsibilities for managers and employees are summarised below – note these are not exhaustive lists.

1.2 Managers

Managers are expected to:

- Lead the change from start to finish of the organisational change process
- Obtain HR, Finance and Legal advice and support at an early stage to identify the implications of the proposed change and to ensure appropriate planning
- Identify Equality and Diversity implications of the proposed change

- Ensure genuine and effective consultation and communication takes place with employees and trade unions throughout the organisational change process including approaching employee consultation and considering all responses and feedback with an open mind
- Keep written records of all discussions and communications with employees and trade unions
- Support employees throughout the organisational change process

1.3 Employees

Employees are expected to:

- Be flexible and open-minded in considering proposals for change
- Participate in the consultation process by contributing their own views in a reasonable and open manner
- Cooperate in the assimilation, ring-fence and redeployment processes by considering any suitable alternative employment opportunities and playing an active part in seeking alternative job roles
- Continue to carry out their duties and responsibilities in a professional manner during the organisational change process

2. **The Procedure**

2.1 A template procedure process flow is attached at **Appendix 3**.

3. **Key Procedural Requirements**

3.1 Planning and Preparation Phase

3.2 The relevant Director/Head of Service should identify a relevant manager to undertake the role of Lead Manager throughout the organisational change process (the Lead Manager role may be undertaken by the Director/Head of Service).

3.3 The Lead Manager may delegate specific responsibilities and tasks relating to the organisational change process to other appropriate managers.

3.4 The Lead Manager must set out the business case for the proposed organisational change using the corporate template organisational change proposal report (**Appendix 4**). This must include Ring Fencing proposals and an Equality Analysis using the corporate template included in Appendix 4.

3.5 Where a restructure affects 10 or fewer employees, no Equality Analysis should be completed. This is because disclosing the protected

characteristics of a small number of employees creates a risk that individuals' data may be identified. In such small numbers any analysis would be statistically insignificant.

3.6 The Lead Manager should obtain their Director's, HR's and Finance's clearance to use the organisational change proposal report as a basis for employee consultation.

3.7 The Lead Manager will make every reasonable effort to meet with the recognised trade unions representing employees affected by the organisational change proposal **prior** to the launch of employee consultation in order to brief them on the change proposal, arrangements to launch employee consultation and the practical arrangements to carry out consultation during the employee consultation period. Ideally, the meeting with trade unions should be arranged for a reasonable period ahead of the launch of employee consultation and **no less** than one day before.

3.8 The recognised trade unions will make every reasonable effort to ensure their availability for this meeting. It is recognised in rare circumstances it may not be possible to meet with all recognised trade unions and that, therefore, the briefing may be provided by other means e.g. by phone conversation; by email.

3.9 The recognised trade unions accept that all information provided at this stage is provided in the strictest confidence and on the understanding that they will not pass any of the information on to affected employees or other employees until employee consultation has formally commenced (see below).

3.10 Employee Consultation Phase

3.11 Launch/on-going employee consultation

3.11.1 The Lead Manager should make every reasonable effort to meet with all employees affected by the organisational change proposal to formally launch the employee consultation process in order to brief them on the change proposal and the practical arrangements to carry out consultation during the employee consultation period, to provide each employee with a copy of the organisational change proposal report and to respond to any issues raised.

3.11.2 Affected employees should make every reasonable effort to ensure their availability at this meeting. It is recognised in some circumstances it may not be possible to meet with all affected employees at the same time and that, therefore, more than one launch meeting may be required or in exceptional circumstances (e.g.

in cases of long-term sickness absence, secondment or maternity leave) the launch may be provided to specific employees by other means e.g. by phone conversation supported by documentation sent to their home address.

3.11.3 The Lead Manager will make every reasonable effort to ensure that the recognised trade unions representing employees affected by the organisational change proposal are able to attend and should provide reasonable time at the end of the meeting for trade union representatives to meet separately with affected employees. It is recognised in some circumstances it may not be possible for all recognised trade unions to attend and that, therefore, arrangements should be made to ensure that reasonable time is made available for trade union representatives to meet separately with affected employees.

3.11.4 The Lead Manager will make themselves available to meet with affected employees on a one-to-one or group basis as requested.

3.11.5 The Lead Manager will meet regularly with the recognised trade union representatives and with the affected employee group(s) to discuss all relevant consultation issues, confirm and clarify any potential changes to the original organisational change proposal and to respond to issues raised.

3.11.6 The Lead Manager will keep notes of all employee consultation meetings and record all questions raised and answers given (including those raised/answered verbally as well as those raised/answered in writing).

3.12 Voluntary Redundancy (VR)

3.12.1 The relevant Head of Service and their Director will determine whether it will be appropriate to invite affected employees to volunteer to be considered for redundancy and if so will also determine the proposed timing/arrangements to do so (Note: the VR process may start during the employee consultation phase or after employee consultation has concluded i.e. during the implementation phase).

3.12.2 The offer to employees to volunteer will be targeted at defined groups only. In the first instance this will ordinarily be limited to:

- those employees who are at risk of redundancy because they are within a ring-fence where there are more employees than posts available within the ring-fence

and

- where, in addition, it is perceived that there is little likelihood of an employee or a number of employees being able to be employed in a suitable alternative role following a redeployment process

Exceptions:

- employees with less than 2 years continuous local government service on the closing date for applications (as determined by the Lead Manager) will not be eligible to apply for VR
- employees who have accepted suitable alternative employment or no longer meet the criteria for voluntary redundancy following the close of employee consultation and during the implementation of the organisational change.

3.12.3 If there are still deemed to be employees at risk of redundancy following the targeted approach above, the Council reserves the right to extend the offer of Voluntary Redundancy more widely across the Council to other employees who are not at risk of redundancy if this results in avoiding a compulsory redundancy.

Consideration will be given to the following factors:

- The offer for other employees to express interest in voluntary redundancy would be to employees who occupy posts which would be considered suitable alternative employment for employees who are at risk of compulsory redundancy.
- The selection criteria outlined in 3.12.6 below would apply in all cases

3.12.4 Affected employees must submit their request using the template VR estimate request form (**Appendix 5**).

3.12.5 If, following receipt of their VR estimate, the employee wishes to progress their request to volunteer to be considered for redundancy, the relevant Head of Service must submit their request using the template VR business case (**Appendix 6**) within the time period determined by the Lead Manager.

3.12.6 Requests will be considered against the following criteria:

- Whether the release will avoid the need for a compulsory redundancy
- Potential impact of the loss of the individual's skills, knowledge and experience

- Any other relevant issue such as local/national skills shortages, known retention problems and other relevant factors

3.12.7 Requests will initially be considered against the criteria above by the relevant Head of Service. The employee will be notified by the Head of Service if their request is not being taken forward for consideration. This decision is final and there is no right of appeal.

3.12.8 If the Head of Service supports the request, it will be considered by the Redundancy & Redeployment Panel chaired by a Director and comprising the Director of Legal & Governance and the Director of HR & OD (or their representatives). The employee will be notified of the outcome of the request as soon as possible. This decision is final and there is no right of appeal.

3.12.9 The Council reserves the right to withdraw the VR arrangements at any time following appropriate consultation.

3.13 Assimilation/Ring-Fencing (A/RF) Proposals

3.13.1 If the initial Assimilation proposals are not included in the organisational change proposal report, the Lead Manager should complete and communicate them to the affected employees and the recognised trade union representatives as soon as possible after the launch of employee consultation.

3.13.2 The Lead Manager should determine the proposed timing/arrangements to update the A/RF proposals (i.e. reflecting any changes made during employee consultation) towards the end of the employee consultation period and communicate these to the affected employees and the recognised trade union representatives.

3.13.3 Towards the end of the employee consultation period the Lead Manager should ensure all affected employees have received the updated A/RF proposals and that an overall summary has been provided to the recognised trade union representatives.

3.13.4 Every attempt should be made during the consultation period to resolve A/RF challenges.

3.13.5 Where it has not been possible to resolve an A/RF issue during the consultation period and an affected employee does not accept the updated A/RF proposals, they are able to request an appeal following closure of consultation. The relevant Lead Manager should arrange for the Redundancy & Redeployment Panel to review the issue. The Panel is chaired by a Director and comprises the Director of Legal & Governance and the Director of HR & OD (or their representatives). The expectation is that normally a meeting would be held rather than

conduct a desk based review but this process may be used if the issue can be resolved without the need for a meeting. The Head of Service should invite the employee to a meeting (to occur within 15 working days of receipt of request). At the meeting the employee will be invited to outline and present their view. The Panel will have the opportunity to seek further information and ask questions. The Panel will consider the case and confirm their decision in writing to the employee within 5 working days of the meeting. The decision will be final and there will be no further right to appeal.

3.14 Early Closure of Employee Consultation

- 3.14.1 In some circumstances there may be a need/benefit to seeking agreement to conclude employee consultation earlier than the planned consultation end date. To do so the Lead Manager should ensure that all 3 requirements detailed at 3.15.1 below are satisfied.
- 3.14.2 In such circumstances, the Lead Manager should write to all affected employees and recognised trade union representatives (using the template letter detailed in the Manager's Toolkit) to propose a specified date to close consultation early.
- 3.14.3 If new issues are raised and/or further comments/feedback are received and they cannot be dealt with by the specified date above, the Lead Manager will need to repeat the communication at 3.15.2 below in order to propose a revised date for consultation to conclude.
- 3.14.4 If there are no outstanding issues and all comments/feedback received have been responded to by the specified date, the Lead Manager must complete the template "Memorandum of Early Conclusion of Formal Consultation" (**Appendix 7**) and obtain their Director signature and deliver it to each of the relevant recognised trade union branch secretaries for signature and return.
- 3.14.5 Once the memorandum is signed, the Lead Manager should as soon as possible write to all affected employees and to the branch secretaries of the relevant trade unions using the template Employee Consultation Closure Confirmation letter (detailed in the Manager's Toolkit) to confirm that consultation has concluded and outline the next steps.

3.15 Closure of Employee Consultation

- 3.15.1 In order to conclude employee consultation, the Lead Manager will ensure that they can evidence that:

- they have carried out meaningful consultation with affected employees and the relevant recognised trade unions
- they have addressed all issues that need to be addressed as part of the consultation process
- they have responded to comments/feedback received and that there are no outstanding issues

3.15.2 The Lead Manager will, towards the end of the planned consultation period, write to all affected employees and to the branch secretaries of the relevant trade unions using the template Employee Consultation Closure letter (detailed in the Manager's Toolkit) to advise them that consultation will conclude as planned.

3.15.3 If by the planned end of the consultation period all 3 requirements detailed at 3.15.1 are satisfied, the Lead Manager will as soon as possible write to all affected employees and to the branch secretaries of the relevant trade unions using the template Employee Consultation Closure Confirmation letter (detailed in the Manager's Toolkit) to confirm that consultation has concluded and outline the next steps.

3.15.4 However, if by the planned end of the consultation period all issues raised and/or comments/feedback received have not been responded to, the Lead Manager will as soon as possible write to all affected employees and to the branch secretaries of the relevant trade unions using the template Employee Consultation Closure Confirmation/ Outstanding Matters letter (detailed in the Manager's Toolkit). As soon as all 3 requirements detailed at 3.15.1 are satisfied, the Lead Manager should as soon as possible write to all affected employees and to the branch secretaries of the relevant trade unions using the template Employee Consultation Closure Confirmation letter (detailed in the Manager's Toolkit) to confirm that consultation has concluded and outline the next steps.

3.16 Extension of Employee Consultation

3.16.1 In some circumstances there may be a business need/benefit to extend employee consultation beyond the usual 30 or 45 day period. To do so, the Lead Manager should, as soon as possible before the end of the consultation period, write to all affected employees and recognised trade union representatives (using the template letter detailed in the Manager's Toolkit) to:

- state that consultation may not conclude as planned and identify the reasons why

- state that as soon as a revised planned date for conclusion of consultation was clear, the Lead Manager would write again to outline the next steps

3.16.2 As soon as a revised planned date to conclude consultation is identified, the Lead Manager should revert to the Closure of Employee Consultation process at para 3.15 above.

3.17 Implementation

3.18 Approval of Organisational Change Report

3.18.1 The Lead Manager must review and update the draft organisational change report to incorporate the changes that need to be made as a result of consultation and secure HR and Finance sign-off before submitting the finalised report to their Director for final approval and sign-off.

3.18.2 Once approved, and ideally no more than 2 weeks after the close of consultation, the Lead Manager will ensure a copy of the final report is provided to all affected employees and the relevant recognised trade union branch secretaries.

3.19 Voluntary Redundancy (VR)

3.19.1 If the Lead Manager has not already commenced the VR process during the Employee Consultation phase (see para 3.12 above), the Lead Manager will determine whether it will be appropriate to invite affected employees to volunteer to be considered for redundancy and if so will also determine the proposed timing/arrangements to do so. If so, the Lead Manager will do so in accordance with the requirements at para 3.12 above.

3.20 Large Consultation Ring-Fence

3.20.1 Using the finalised Assimilation/Ring Fence arrangements (detailed in the approved organisational change proposal report), the Lead Manager will write (using the relevant template letters detailed in the Manager's Toolkit) to all affected employees to advise them of their final Assimilation/Ring-Fencing status.

3.20.2 Employees must return a signed copy of the letter to the Lead Manager by the specified date to confirm whether they agree or do not agree with the decision contained in the letter. Failure to return the signed copy of the letter will be taken as agreement.

3.20.3 The Lead Manager will take into account any Assimilation/RingFencing Preference Forms returned in arrangements to carry out the Large Consultation Ring-Fence.

3.20.4 Large Consultation Ring-Fence 1 (Direct Non-Competitive Assimilation)

3.20.4.1 The Lead Manager will write to relevant employees (using the template letter detailed in the Manager's Toolkit) to confirm appointment.

3.20.5 Large Consultation Ring-Fences 2, 3 and 4 (Direct Competitive Assimilation and Competitive Ring-Fence)

3.20.5.1 The Lead Manager will write to relevant employees (using the template letter detailed in the Manager's Toolkit) to invite them to attend a selection interview.

3.20.5.2 The interview selection panel must record the key points from the evidence presented and their evaluation/scores of each employee.

3.20.5.3 The Lead Manager will write to the successful employees (using the template letter detailed in the Manager's Toolkit) to confirm appointment.

3.20.5.4 The Lead Manager will write to the unsuccessful employees (using the template letter detailed in the Manager's Toolkit).

3.20.5.5 The Lead Manager will offer feedback to all employees. This will normally be provided verbally but if specifically requested may be provided in writing.

3.20.6 Large Consultation Ring Fence 5 (Competitive Open Recruitment)

3.20.6.1 The Lead Manager will (in conjunction with the HR Lead Adviser) determine whether any remaining vacant posts should be made available to employees within the Large Consultation Ring Fence or not. If so, this will be progressed in accordance with the Council's Recruitment & Selection policy.

3.20.7 Posts Remaining Vacant

3.20.7.1 The Lead Manager or Hiring Manager should advertise any posts remaining vacant after the completion of Large Consultation Ring-Fence 5 via the Councils Recruitment system for Redeployees Council-wide.

3.21 Notice of Redundancy

3.21.1 Following the completion of the Large Consultation Ring-Fence, the Lead Manager should write to all remaining employees at risk of redundancy (using the template Notice of Redundancy letter detailed in the Manager's Toolkit) to formally issue the notice of redundancy.

3.21.2 Where it is necessary to issue the notice of redundancy before the completion of the Large Consultation Ring-Fence, the Lead Manager should write to all remaining employees at risk of redundancy (using the template Notice of Redundancy (Variant) letter detailed in the Manager's Toolkit) to formally issue the notice of redundancy.

3.21.3 Employees must return a signed copy of the letter to the Lead Manager to confirm receipt of the notice of redundancy.

3.21.4 If the employee wishes to appeal against the redundancy dismissal they should write to the Director of HR & OD within 5 days of receipt of the notice of redundancy setting out their grounds for appeal and provide supporting evidence.

3.22 Appeal against Redundancy

3.22.1 The procedure for the appeal is attached at **Appendix 8**.

3.23 Redeployment

3.23.1 Following the completion of the Large Consultation Ring-Fence and issue of the notice of redundancy, the Redeployment Advisor should write to remaining employees at risk of redundancy (using the template Redeployment letter detailed in the Manager's Toolkit) to confirm their status as a Redeployee and to provide information about the Redeployment process.

3.23.2 The Redeployment Advisor should ensure that all existing vacancies are advertised to Redeployees via the Council's Recruitment system.

3.23.3 Redeployees should ensure that they regularly review all available vacancies to identify potential suitable alternative employment and actively pursue any such opportunities.

3.23.4 The Lead Manager should ensure that they regularly review all available vacancies to identify potential suitable alternative employment for Redeployees that have arisen from their Large Consultation Ring-Fence and actively pursue any such opportunities.

- 3.23.5 If after a period of time a vacant post has not been filled and is causing difficulty in service delivery and/or to continue to maintain the vacancy is having a detrimental impact on employees or incurring unnecessary cost, the relevant Head of Service should submit a case (and evidence) to the Director of HR & OD (or representative) to release the post in order to advertise the vacancy externally.
- 3.23.6 The Recruiting Manager should complete a short-list within 5 working days of the closing date for the vacant post and then invite shortlisted Redeployees to attend for an interview, confirming interview date and time in writing. Where the vacancy closing date is after the redeployees last day of service, every effort should be made to interview the redeployee before their employment is terminated.
- 3.23.7 The Recruiting Manager will offer any Redeployee who applied for the vacant post but was not short-listed with feedback as to why the Redeployee did not meet the minimum criteria.
- 3.23.8 Redeployees invited to attend for an interview should confirm their attendance within 2 working days of receipt of the invite.
- 3.23.9 The Recruiting Manager will offer any unsuccessful Redeployee with feedback on their performance at the interview.

3.24 Trial Period

- 3.24.1 Before the trial period begins, the Line Manager should consider any need to extend the trial period and if so discuss this with the employee.
- 3.24.2 Before the trial period begins, the Line Manager should write to the employee (using the template letter detailed in the Manager's Toolkit) to confirm the details of the trial period (including any extension).
- 3.24.3 During the trial period, the Line Manager should schedule weekly meetings with the employee and use the Trial Period Monitoring template (**Appendix 9**) to discuss work issues, any support needed to enable the employee to undertake the key duties of the post within the trial period and any concerns identified by either the employee or the Line Manager.
- 3.24.4 If, at the end of the trial period, the Line Manager and employee both consider the role to be suitable alternative employment, they should sign-off the Trial Period Monitoring template accordingly. The Line Manager should then write to the employee (using the template letter detailed in the Manager's Toolkit) to confirm successful completion of the trial period.

3.24.5 If, during or at the end of the trial period, the Line Manager and employee both consider the role not to be suitable alternative employment, they should sign-off the Trial Period Monitoring template accordingly. The Line Manager should then write to the employee (using the template letter detailed in the Manager's Toolkit) to confirm that the trial period was not successful.

3.24.6 If, at the end of the trial period, the Line Manager and employee disagree as to whether the post is suitable alternative employment, they should record their views on the Trial Period Monitoring template accordingly. The Line Manager should then discuss the issue with the relevant Head of Service. The Head of Service should then discuss the issue with the relevant Director including any other suitable alternative employment options available to the employee.

3.24.7 If the Director decides that the post is suitable alternative employment, the relevant Head of Service should meet with the employee to advise them of the decision and confirm the decision in writing (using the template letter detailed in the Manager's Toolkit).

3.24.8 If the Director decides that the post is not suitable alternative employment, the relevant Head of Service should meet with the employee to advise them of the decision and confirm the decision in writing (using the template letter detailed in the Manager's Toolkit).

Section Three: Supporting Documents

Appendices

- 1 Assimilation/Ring-Fencing/Redeployment Priority**
- 2 Redundancy Pay Ready Reckoner**
- 3 Procedure Process Flow template**
- 4 Organisational Change Proposal Report template**
- 5 VR Estimate Request Form template**
- 6 VR Business Case template**
- 7 Memorandum of Early Conclusion of Formal Consultation template**
- 8 Appeal Against Redundancy Procedure**
- 9 Trial Period Monitoring template**

Section Four: Policy Ownership and effective dates

| | |
|-----------------------|--------|
| Policy Owner | HR &OD |
| Approving Body | CCNF |

| | |
|-----------------------|-----|
| Date Approved | |
| Effective Date | |
| Review Date | |
| Version | 6-0 |

**ASSIMILATION/RING-FENCING
1 PRIORITY ORDER**

Appendix

| Priority | Ring-Fence Title | Match / Grade Issues | Number of People / Posts Issues | Process Title | Process Detail | Trial Period |
|-----------------|---|---|--|--|--|---------------------|
| 1 | Large Consultation Ring-Fence 1 | 65% or more Match. Grade = same or up to 2 lower/1 higher | Same Number or More Posts Than People | Direct Non-Competitive Assimilation | No selection interview – meeting to assess L&D needs | No |
| 2 | Large Consultation Ring-Fence 2 | 65% or more Match. Grade = same or up to 2 lower/1 higher | Less Posts Than People | Direct Competitive Assimilation | Selection interview against criteria based on Job Description and Person Profile (JD/PP) | No |
| 3 | Large Consultation Ring-Fence 3 | 65% or more Match. Grade = 2 or more higher | None | Direct Competitive Assimilation | Selection interview against criteria based on JD/PP | No |
| 4 | Large Consultation Ring-Fence 4 | Less than 65% Match Grade = 2 lower/1 higher | None | Competitive Ring-Fence | Selection interview against criteria based on JD/PP | No |
| 5 | Large Consultation Ring-Fence 5 | Any post remaining | None | Competitive Open Recruitment | Selection interview against criteria based on JD/PP | No |
| 6 | Redeployment Pool | Suitable Alternative Employment | None | Competitive Ring-Fence Redeployment | Selection interview against criteria based on JD/PP | Yes |
| 7 | Open Recruitment (Note: This is not a Ring-Fence) | Any post not considered Suitable Alternative Employment | None | Competitive Open Recruitment – Preference for Redeployees in Redeployment Pool | Selection interview against criteria based on JD/PP | No |
| 8 | Open Recruitment (Note: This is not a Ring-Fence) | Any post remaining | None | Competitive Open Recruitment | Selection interview against criteria based on JD/PP | No |

Redundancy Pay Ready Reckoner

Appendix 2

| Service (years) | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 | 16 | 17 | 18 | 19 | 20 |
|-----------------|----|----|----|----|----|----|----|----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|
| Age (years) | | | | | | | | | | | | | | | | | | | |
| 17* | 1 | | | | | | | | | | | | | | | | | | |
| 18 | 1 | 1½ | | | | | | | | | | | | | | | | | |
| 19 | 1 | 1½ | 2 | | | | | | | | | | | | | | | | |
| 20 | 1 | 1½ | 2 | 2½ | - | | | | | | | | | | | | | | |
| 21 | 1 | 1½ | 2 | 2½ | 3 | - | | | | | | | | | | | | | |
| 22 | 1 | 1½ | 2 | 2½ | 3 | 3½ | - | | | | | | | | | | | | |
| 23 | 1½ | 2 | 2½ | 3 | 3½ | 4 | 4½ | - | | | | | | | | | | | |
| 24 | 2 | 2½ | 3 | 3½ | 4 | 4½ | 5 | 5½ | - | | | | | | | | | | |
| 25 | 2 | 3 | 3½ | 4 | 4½ | 5 | 5½ | 6 | 6½ | - | | | | | | | | | |
| 26 | 2 | 3 | 4 | 4½ | 5 | 5½ | 6 | 6½ | 7 | 7½ | - | | | | | | | | |
| 27 | 2 | 3 | 4 | 5 | 5½ | 6 | 6½ | 7 | 7½ | 8 | 8½ | - | | | | | | | |
| 28 | 2 | 3 | 4 | 5 | 6 | 6½ | 7 | 7½ | 8 | 8½ | 9 | 9½ | - | | | | | | |
| 29 | 2 | 3 | 4 | 5 | 6 | 7 | 7½ | 8 | 8½ | 9 | 9½ | 10 | 10½ | - | | | | | |
| 30 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 8½ | 9 | 9½ | 10 | 10½ | 11 | 11½ | - | | | | |
| 31 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 9½ | 10 | 10½ | 11 | 11½ | 12 | 12½ | - | | | |
| 32 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 10½ | 11 | 11½ | 12 | 12½ | 13 | 13½ | - | | |
| 33 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 11½ | 12 | 12½ | 13 | 13½ | 14 | 14½ | - | |
| 34 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 12½ | 13 | 13½ | 14 | 14½ | 15 | 15½ | - |
| 35 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 13½ | 14 | 14½ | 15 | 15½ | 16 | 16½ |
| 36 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 14½ | 15 | 15½ | 16 | 16½ | 17 |
| 37 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 | 15½ | 16 | 16½ | 17 | 17½ |
| 38 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 | 16 | 16½ | 17 | 17½ | 18 |
| 39 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 | 16 | 17 | 17½ | 18 | 18½ |
| 40 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 | 16 | 17 | 18 | 18½ | 19 |
| 41 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 | 16 | 17 | 18 | 19 | 19½ |
| 42 | 2½ | 3½ | 4½ | 5½ | 6½ | 7½ | 8½ | 9½ | 10½ | 11½ | 12½ | 13½ | 14½ | 15½ | 16½ | 17½ | 18½ | 19½ | 20½ |

Ready reckoner for redundancy payments

| Service (years) | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 | 16 | 17 | 18 | 19 | 20 |
|------------------------|----------|----------|----------|----------|----------|----------|----------|----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|
| Age (years) | | | | | | | | | | | | | | | | | | | |
| 50 | 3 | 4½ | 6 | 7½ | 9 | 10½ | 12 | 13½ | 14½ | 15½ | 16½ | 17½ | 18½ | 19½ | 20½ | 21½ | 22½ | 23½ | 24½ |
| 51 | 3 | 4½ | 6 | 7½ | 9 | 10½ | 12 | 13½ | 15 | 16 | 17 | 18 | 19 | 20 | 21 | 22 | 23 | 24 | 25 |
| 52 | 3 | 4½ | 6 | 7½ | 9 | 10½ | 12 | 13½ | 15 | 16½ | 17½ | 18½ | 19½ | 20½ | 21½ | 22½ | 23½ | 24½ | 25½ |
| 53 | 3 | 4½ | 6 | 7½ | 9 | 10½ | 12 | 13½ | 15 | 16½ | 18 | 19 | 20 | 21 | 22 | 23 | 24 | 25 | 26 |
| 54 | 3 | 4½ | 6 | 7½ | 9 | 10½ | 12 | 13½ | 15 | 16½ | 18 | 19½ | 20½ | 21½ | 22½ | 23½ | 24½ | 25½ | 26½ |
| 55 | 3 | 4½ | 6 | 7½ | 9 | 10½ | 12 | 13½ | 15 | 16½ | 18 | 19½ | 21 | 22 | 23 | 24 | 25 | 26 | 27 |
| 56 | 3 | 4½ | 6 | 7½ | 9 | 10½ | 12 | 13½ | 15 | 16½ | 18 | 19½ | 21 | 22½ | 23½ | 24½ | 25½ | 26½ | 27½ |
| 57 | 3 | 4½ | 6 | 7½ | 9 | 10½ | 12 | 13½ | 15 | 16½ | 18 | 19½ | 21 | 22½ | 24 | 25 | 26 | 27 | 28 |
| 58 | 3 | 4½ | 6 | 7½ | 9 | 10½ | 12 | 13½ | 15 | 16½ | 18 | 19½ | 21 | 22½ | 24 | 25½ | 26½ | 27½ | 28½ |
| 59 | 3 | 4½ | 6 | 7½ | 9 | 10½ | 12 | 13½ | 15 | 16½ | 18 | 19½ | 21 | 22½ | 24 | 25½ | 27 | 28 | 29 |
| 60 | 3 | 4½ | 6 | 7½ | 9 | 10½ | 12 | 13½ | 15 | 16½ | 18 | 19½ | 21 | 22½ | 24 | 25½ | 27 | 28½ | 29½ |
| 61+ | 3 | 4½ | 6 | 7½ | 9 | 10½ | 12 | 13½ | 15 | 16½ | 18 | 19½ | 21 | 22½ | 24 | 25½ | 27 | 28½ | 30 |
| 43 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 | 16 | 17 | 18 | 19 | 20 | 21 |
| 44 | 3 | 4½ | 5½ | 6½ | 7½ | 8½ | 9½ | 10½ | 11½ | 12½ | 13½ | 14½ | 15½ | 16½ | 17½ | 18½ | 19½ | 20½ | 21½ |
| 45 | 3 | 4½ | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 | 16 | 17 | 18 | 19 | 20 | 21 | 22 |
| 46 | 3 | 4½ | 6 | 7½ | 8½ | 9½ | 10½ | 11½ | 12½ | 13½ | 14½ | 15½ | 16½ | 17½ | 18½ | 19½ | 20½ | 21½ | 22½ |
| 47 | 3 | 4½ | 6 | 7½ | 9 | 10 | 11 | 12 | 13 | 14 | 15 | 16 | 17 | 18 | 19 | 20 | 21 | 22 | 23 |
| 48 | 3 | 4½ | 6 | 7½ | 9 | 10½ | 11½ | 12½ | 13½ | 14½ | 15½ | 16½ | 17½ | 18½ | 19½ | 20½ | 21½ | 22½ | 23½ |
| 49 | 3 | 4½ | 6 | 7½ | 9 | 10½ | 12 | 13 | 14 | 15 | 16 | 17 | 18 | 19 | 20 | 21 | 22 | 23 | 24 |

Procedure Process Flow Template

Appendix 3

1. Planning and Preparation phase

Either - Manager obtains Head of Service/Director in principle clearance to develop the organisational change and confirm Lead Manager (LM)

Or - Head of Service/Director engages Manager with in principle clearance to develop the organisational change and confirms Lead Manager (LM)

1.1 Note: The LM may be the Head of Service/Director

1.2 LM engages HR Business Partner (HRBP) for any preliminary advice and allocation of HR Lead Adviser (HRLA) by Operational HR

HRBP/HRLA include potential organisational change on HR's Current Restructures spreadsheet to determine whether the organisational change 1.3 needs to be managed in accordance with a statutory HR1 notification

1.4 LM engages Finance Business Partner (FBP) for any preliminary advice

1.5 Where necessary, LM engages Legal Services for any preliminary advice

1.6 LM secures any stakeholder in principle clearance to develop the organisational change (e.g. Lead Member)

1.7 LM plans overall End 2 End Organisational Change process

1.8 LM drafts Organisational Change proposal report (corporate template) and obtains HR **& OD**, Finance and where necessary any Legal input

1.9 LM prepares Equality Assessment (corporate template) and obtains initial input from Corporate Policy & Diversity Team

LM obtains Head of Service/Director clearance to make arrangements to engage trade unions about launch of employee consultation

1.10 regarding potential organisational change

1.11 LM makes arrangements for launch of employee consultation with support from HRLA

1.12 LM obtains sign-off of Equality Assessment from Corporate Policy & Diversity Team

1.13 LM obtains FBP sign-off for Organisational Change proposal report to be used as the basis for employee consultation

1.14 LM obtains HRBP sign-off of Organisational Change proposal report to be used as the basis for employee consultation

1.15 LM obtains Directors sign-off of Organisational Change proposal report to be used as the basis for employee consultation

LM meets with recognised trade unions to brief them on the proposed organisational change and arrangements to launch employee consultation and to discuss the practical arrangements to carry out consultation during the consultation period.

Note: A copy of the draft/signed-off Organisational Change proposal report may be provided as a courtesy to the trade unions at this stage. The meeting may therefore take place before final sign-off has been obtained. If a copy of the draft/signed-off Organisational Change proposal report is provided to the trade unions it should be provided in the strictest confidence and on the understanding that the trade unions will not pass the document on to anyone.

2. Employee consultation phase

2.1 **Launch/on-going employee consultation**

2.1.1 LM launches consultation to affected employees and trade unions

2.1.2 LM publishes arrangements and deadline date for employees (individually or in groups) to provide initial feedback/raise questions

2.1.3 LM makes themselves available on 121 basis to meet with all employees as requested

LM meets with all staff/groups of staff and with trade unions regularly to provide progress on Consultation, discuss any issues, clarify any potential

2.1.4 changes to proposals as a result of Consultation

2.1.5 LM records all questions raised and answers given (including those raised/answered verbally at meetings)

2.1.6 LM keeps notes of all meetings

LM/trade unions refer any issues that can not be resolved at service level to relevant corporate consultation forum e.g. Employer Side Secretary Meeting and or CCNF

2.1.7 Note: This should be done through Operational HR

2.2 **Voluntary Redundancy (VR)**

Head of Service/Director determines whether it will be appropriate to invite employees to volunteer to be considered for redundancy and if so

2.2.1 the LM determines in conjunction with HRLA proposed timing/arrangements

2.2.2 LM communicates proposals for VR timing/arrangements to employees/trade unions

2.2.3 Employees submit request for VR estimate (corporate template) to LM/HRLA

2.2.4 HRLA arranges with Shared Services (ISS) for provision of VR estimate

2.2.5 Employee considers estimate and if necessary submits request for consideration for VR (corporate template) to LM/HRLA

LM considers VR request and:

If LM supports it, LM completes VR Business Case (corporate template) and submits to Redundancy & Redeployment (R&R) Panel

2.2.6 If LM does not support it, LM confirms decision and rationale to employee in writing

R&R Panel consider and record decision on VR Business Case and return to HRLA for HRLA to confirm/implement decision to employee (using

2.2.7 corporate templates) - No right of appeal

2.3 **Assimilation/Ring-Fencing (A/RF) Proposals**

Where initial Assimilation proposals are not included in the Organisational Change proposal report, LM completes Assimilation proposals in

2.3.1 conjunction with HRLA and communicates to employees/trade unions as soon as possible after consultation launch

2.3.2 LM determines in conjunction with HRLA proposed timing/arrangements for updated A/RF proposals

2.3.3 LM communicates proposed timing/arrangements for updated A/RF proposals to employees/trade unions Towards the end of the consultation period, LM determines in conjunction with HRLA updated A/RF proposals Every attempt should be made during the consultation period to resolve A/RF challenges

2.3.4 LM communicates updated A/RF proposals to employees and trade unions

Where it has not been possible to resolve an A/RF issue during the consultation period and an affected employee does not accept the updated A/RF proposals, they are able to request an appeal following closure of consultation. The relevant Lead Manager should arrange for the

2.3.5 Redundancy & Redeployment Panel to review the issue.

Once all outstanding issues are resolved, LM communicates final A/RF position to employees/trade unions

2.4 **Early closure of employee consultation**

LM determines in conjunction with HRLA and Head of Service whether there is a need/benefit to try to obtain agreement to close consultation earlier than the end of the statutory period (LM will need to ensure: they have carried out meaningful consultation; show that all comments/feedback have been responded to; and they have addressed all issues that need to be addressed as part of the consultation process) and if so determines

2.4.1 proposed timing/arrangements

LM communicates the proposed timing/arrangements to employees/trade unions (corporate template) - if agreement cannot be secured then

2.4.2 consultation will progress for the full statutory period

If agreement can be secured, LM completes the "Memorandum of Early Conclusion of Formal Consultation" (corporate template), obtain their

2.4.3 Director signature and provides it to each of the relevant trade union branch secretaries for signature and return

2.4.4 Once signed and returned, LM reverts to Closure of Consultation process below

2.5 **Closure of employee consultation**

LM will need to ensure: they have carried out meaningful consultation; show that all comments/feedback have been responded to; and they have

2.5.1 addressed all issues that need to be addressed as part of the consultation process

2.5.2 LM determines in conjunction with HRLA timing/arrangements

2.5.3 LM communicates timing/arrangements to employees/trade unions (corporate template letter)

LM should make every effort to respond to any outstanding comments/feedback received and issues raised by the date that consultation is due to

2.5.4 end

If by the date that consultation is due to end all comments/feedback received have not been responded to, LM communicates to employees/trade unions as soon as possible after the date that consultation is due to end (corporate template letter) to confirm that: consultation did end on the date that consultation was due to end; responses to outstanding issues would be provided by a specified date; LM will write to employees/trade unions

2.5.5 as soon as responses to all outstanding comments/feedback and issues have been provided to outline the next steps

If by the date that consultation is due to end all comments/feedback have been responded to (or once responses to all outstanding comments/feedback and issues have been provided after the date that consultation ended), LM communicates to employees/trade unions (corporate template letter) as soon as possible after the consultation end date to: confirm that consultation concluded on X date; provide a summary of the outcome of consultation (i.e. the changes that will be made to the original restructure proposals as a result of consultation; confirm that the changes made as a result of consultation will now be incorporated into a revised Organisational Change proposal report for submission to the relevant Director for approval and that a copy of the final report will be provided to employees/trade unions by X date; individual employees

2.5.6 would be written to to confirm their status and position re A/RF; and to offer 121 meetings with employees if requested

2.6 **Extension of employee consultation**

In exceptional circumstances, LM determines in conjunction with HRLA, HRBP, Head of Service and Director whether there is a genuine

2.6.1 need to extend consultation beyond the end of the statutory period and if so determines proposed timing/arrangements

LM communicates to employees/trade unions (corporate template letter) as soon as possible before the end of the statutory period to: state that consultation may not conclude as planned at the end of the statutory period; state that as a revised planned consultation end date is clear, LM will

2.6.2 write to employees/trade unions to outline the next steps

2.6.3 As soon as revised planned consultation end date is clear, LM reverts to Closure of Consultation process below

3. Implementation phase

3.1 **Approval of Organisational Change report**

3.1.1 LM completes the Addendum to the Organisational Change report (corporate Template) and updates appendices as necessary

3.1.2 LM sends updated Organisational Change report to HRBP and FBP for their sign-off

3.1.3 Once HRBP and FBP have signed-off, LM sends Organisational Change report to Director for final approval and sign-off

3.1.4 Once Director have signed off, LM provides copy of approved Organisational Change report to employees/trade unions

3.2 **Voluntary Redundancy (VR)**

If VR has not already commenced in the Consultation phase (see above), LM follows same process as above to consider (and progress)

3.2.1 whether it would be appropriate to invite employees to volunteer to be considered for redundancy

3.3 **Notice of Redundancy**

- 3.3.1 LM determines whether it is necessary to issue Notice of Redundancy before completion of Large Consultation Ring Fence
- 3.3.2 If so, LM issues Notice of Redundancy (corporate template) to relevant employees
- 3.3.3 Employee returns signed copy of letter to confirm receipt

3.4 **Large Consultation Ring Fence**

- 3.4.1 LM writes to all affected employees to advise them of their final A/RF position (corporate template)
- 3.4.2 Employee returns signed copy of letter confirming whether they agree/do not agree
- 3.4.3 LM takes employee's A/RF preferences into account in arrangements to carry out Large Consultation Ring Fence

3.4.4 Large Consultation Ring Fence 1

- 3.4.4.1 LM writes to relevant employees to confirm appointment (corporate template)

3.4.5 Large Consultation Ring Fence 2, 3 and 4

- 3.4.5.1 LM writes to all relevant employees to invite them to selection interviews (corporate template)
- 3.4.5.2 Selection interviews take place
- 3.4.5.3 LM writes to all successful employees (corporate template)
- 3.4.5.4 LM writes to all unsuccessful employees (corporate template)

3.4.5.6 LM offers feedback to all employees and provides where requested

3.4.6 Large Consultation Ring Fence 5

- 3.4.6.1 LM determines whether any remaining vacant posts should be made available to employees within the Large Consultation Ring Fence or not
- 3.4.6.2 If so, LM follows Council's Recruitment & Selection policy and process to manage

3.4.7 Posts Remaining Vacant

LM releases any posts remaining vacant after completion of Large Consultation Ring Fence 5 to Redeployment Coordinator to make available

- 3.4.7.1 to all Redeployees across the Council

3.5 **Notice of Redundancy**

- 3.5.1 LM issues Notice of Redundancy (corporate template) to relevant employees

3.5.2 Employee returns signed copy of letter to confirm receipt

3.6 ***Appeal Against Redundancy***

Employee writes to Director of HR & OD within 5 working days of receipt of Notice of Redundancy to confirm they wish to appeal against

3.6.1 redundancy

3.6.2 Director of HR & OD convenes Redeployment & Redundancy Panel to consider the appeal

3.7 ***Redeployment***

3.7.1 Redeployment Advisor ensures all vacant posts are advertised to Redeployees

Following completion of Large Consultation Ring Fence and Issue of Notice of Redundancy, Redeployment Advisor writes to remaining

3.7.2 employees at risk of redundancy to confirm status as a Redeployee and provide guidance on Redeployment process (corporate template)

3.7.3 Redeployees regularly review all available vacancies and follow instructions to pursue any opportunities

3.7.4 Recruiting manager writes to all short-listed Redeployees to invite to selection interview

Recruiting manager provides any Redeployee that applied for the vacant post but was not short-listed with feedback as to why the Redeployee

3.7.5 was not short-listed

3.7.6 Short-listed Redeployees confirm their attendance at selection interview

3.7.7 Selection interviews take place

3.7.8 Recruiting manager writes to successful Redeployees to confirm appointment subject to Trial Period

3.7.9 Recruiting manager offers feedback to all interviewed Redeployees

3.8 ***Trial Period***

3.8.1 Line Manager considers any need to extend Trial Period beyond normal 4 week period

3.8.2 Before the Trial Period begins, Line Manager writes to employee to confirm details of trial period (including any extension) (corporate template)

During the Trial Period, Line Manager and employee meet weekly and record discussion on Trial Period Monitoring template (corporate

3.8.3 template)

If, at end of trial period, Line Manager and employee agree the role is suitable alternative employment, they record discussion on Trial Period

3.8.4 Monitoring template and Line Manager writes to employee to confirm successful completion of trial period (corporate template)

If, at end of trial period, Line Manager and employee agree the role is not suitable alternative employment, they record discussion on Trial

3.8.5 Period Monitoring template and Line Manager writes to employee to confirm that the trial period was not successful (corporate template)

- If, at end of trial period, Line Manager and employee disagree as to whether the role is suitable alternative employment, they record discussion
- 3.8.6.1 on Trial Period Monitoring template and Line Manager discusses the issue with the relevant Head of Service
 - 3.8.6.2 The Head of Service discusses the issue with the relevant Director
 - 3.8.6.3 If the relevant Director decides that the role is suitable alternative employment, the relevant Head of Service meets with the employee to advise them of the decision and writes to the employee to confirm (corporate template)
 - 3.8.6.4 If the relevant Director decides that the role is not suitable alternative employment, the relevant Head of Service meets with the employee to advise them of the decision and writes to the employee to confirm (corporate template)

APPROVAL AND IMPLEMENTATION OF ORGANISATIONAL RESTRUCTURES

| | |
|---------|--|
| Subject | |
|---------|--|

| | |
|--|--|
| Directorate: | |
| Author/Officer responsible (Name, title and contact number) | |
| Human Resources contact: | |
| Finance contact: | |

1. Summary of proposed changes

As well as an overall summary of the proposed changes the following table must be included in section 1.

| | |
|--|--|
| Overall post reduction/deletions (FTE): | |
| of which, posts filled by permanent employees (FTE): | |
| of which, reduction of vacant posts (FTE): | |
| of which, posts covered by agency workers (FTE): | |
| | |
| Overall post creation (FTE): | |
| | |
| NET POST REDUCTION/CREATION (FTE): | |
| | |
| TOTAL NUMBER OF EMPLOYEES AT RISK OF REDUNDANCY (Headcount – not FTE) | |

2. Background

Detail under the following headings must be included in section 2.

- 2.1 Contextual/historical information
- 2.2 Rationale/Justification for changes

3. Financial Costing and Funding Arrangements

The following wording must be included in section 3:

- 3.1 The MTFS 20xx-xx includes savings proposals of £x, £y, £z in financial years a, b and c respectively. *ADD DETAIL TO EXPLAIN WHAT THESE SAVINGS ARE AND HOW THEY ARE TO BE DELIVERED FROM THESE PROPOSALS; WHERE THE SAVINGS ORIGINATE FROM DECISIONS OTHER THAN MTFS, THE SOURCE OF THE DECISION SHOULD BE IDENTIFIED.* Implementation of these proposals is required to ensure that these savings targets can be delivered.
- 3.2 Costs for the existing and proposed structures for posts deleted, created, or re-graded in the restructure are attached as Appendix X. These are based on the existing and proposed or indicative grades. Where grades are shown as indicative pending job evaluation, the costs are estimates based on these grades, and the final evaluations may differ from these. Should this be the case, the costs would need to be re-assessed accordingly.
- 3.3 It is estimated that the proposed structure will cost £??? as compared with an existing budget of £xxx. This would give rise to a net saving of £??? in a full year (after deducting pension back funding costs of £xx). Pension back funding costs will be transferred to a central budget to meet on-going commitments on the conclusion of the consultation and once the restructure has been formally approved. With an implementation date of X date, the estimated savings in the current year 20xx are estimated as £??? Net of pension back funding costs but before any redundancy costs are met. These figures are exclusive of any pay awards or other inflationary factors that may arise during 20XX, but inclusive of on costs.
- 3.4 The Council's policy allows staff to seek assimilation to posts in a restructure where there is a match of at least 65% between their existing and future job profiles. If staff are not able to be assimilated and cannot be redeployed, this would give rise to redundancy. As part of the creation of the Council's Transformation Reserve, provision has been made to fund redundancy costs resulting from formally approved MTFS budget savings. Any redundancy costs arising as a result of these proposals, and/or from any proposals currently being put forward elsewhere in the Council, will as far as possible be met from this Reserve. Should the cost of redundancy payments exceed the funds within the Reserve, the Director of Community & Resources will authorise funding from whatever is felt to be the most appropriate source. The source of funding for any other redundancy costs will need to be indicated.

(Note: If the cost of redundancy cannot be met from the transformation reserve, an alternative source of funding must be identified).

4. Implementation arrangements & effective dates

The following wording must be included in section 4:

- 4.1 Consultation with staff and trade unions will commence in X month with comments invited at the earliest opportunity. Following approval of the restructure and on completion of the consultation period, relevant staff will be invited to seek assimilation or redeployment, and it is envisaged that this process will be completed in X month.
- 4.2 It is expected that the restructure will be implemented as soon as operationally possible but no later than X month.

- 4.3 All the changes will be implemented in accordance with the Council's Organisational Change & Redundancy policy and associated guidance.

5. Details of Staff & Trade Union Consultation

The following wording must be included in section 5:

- 5.1 Consultation with staff and unions will commence by X date and is due to end by X date. Trade Unions will be consulted through service-level meetings and the relevant corporate level forum. Individuals will be invited to group meetings and will be offered individual one to ones if they are directly affected by the proposals, during this period.

6. Organisation Charts (existing and proposed)

The following wording must be included in section 6:

- 6.1 The current and proposed organisation charts are attached at Appendix X.

7. Revised Job Profiles

The following wording must be included in section 7:

- 7.1 Revised Job Profiles are attached at Appendix X.

8. Human Resources and Accommodation implications

The following wording must be included in section 8:

- 8.1 The consultation and subsequent implementation will be managed in accordance with the Council's Organisational Change & Redundancy policy and relevant associated guidance.
- 8.2 Proposed assimilation and ring-fence arrangements are set out in Appendix X. Displaced staff will be considered for assimilation and ring-fence rights to any newly created or established posts within the large consultation ring-fence throughout the consultation process. There may be a need for an assessment meeting or structured interview in accordance with the Council's Organisational Change & Redundancy policy and relevant associated guidance.
- 8.3 Efforts will be made to identify suitable redeployment opportunities for any staff who remain displaced following the completion of the large consultation ring-fence. There is a risk that some staff may not be assimilated into the new structure or may be unsuccessful in applying for roles in the new structure. If this occurs and they are not redeployed elsewhere in the Council, this will give rise to redundancy, the costs of which will be met as described in paragraph 3.X above.
- 8.4 As far as practicable this restructure will link in with and/or support the Council's Corporate Property Strategy intended to optimise the way in which all employees work.

9. Legal Implications

Unless there are other specific legal implications of your proposals upon which you have obtained specific legal advice, the following wording must be included in section 9 of the report.

- 9.1 Consultation on the proposals will need to fulfil the requirements of both the Council's Organisational Change & Redundancy policy, relevant associated guidance and, due to the scale of changes taking place across the Council, the statutory consultation provisions in the Trade Union and Labour Relations (Consolidation) Act 1992. It will not be possible to make final decisions on the proposals until after the statutory consultation process has ended for any particular proposal. Implementation of proposals will need to be carried out in accordance with the Council's policies on assimilations and selection for redundancy.

10. Equality Analysis

The following wording must be included in section 10:

- 10.1 An Equality Analysis is attached at Appendix X.

To be completed by Report Author:

Report Author Signature: _____

Name/Job Title: _____

Date: _____

To be completed by Head of Service:

Head of Service Signature: _____

Name: _____

Date: _____

To be completed by Finance:

Name/Job Title of Authorised Finance Officer: _____

Signature of Authorised Finance Officer: _____

Date: _____

To be completed by HR & OD:

Name/Job Title of Authorised SHR & OD Officer: _____

Signature of Authorised SHR & OD Officer: _____

Date: _____

Delegated Powers Authority

**Name and title of authorising
Director:** _____

Signature of Director: _____

Date: _____

Equality Impact Assessment (EIA) Restructures

Document control

| | |
|--|---|
| Name of restructure: | <i>Please provide the name of the team, service or directorate restructure</i> |
| Scope of activity: | <i>What is the scope and intended outcomes of the restructure being assessed? Please include a brief overview of the current structure and the proposed new structure.</i> |
| Lead officer: | <i>Please include your name, job title, service and directorate</i> |
| Approved by: | <i>Please include the name, job title, service and directorate</i> |
| Date completed: | |
| Date for review, if applicable: | <i>If the EIA does not need to be reviewed, please provide a reason</i> |

| | |
|--|----------|
| Did you seek advice from the HR Operational team? | Yes / No |
| Did you seek advice from the Corporate Policy & Diversity team? | Yes / No |

Note: Where a restructure affects 10 or fewer employees, no Equality Analysis should be completed. This is because disclosing the protected characteristics of a small number of

employees creates a risk that individuals' data may be identified. In such small numbers any analysis would be statistically insignificant.

Equality Impact Assessment

As part of the Organisational Change and Redundancy Policy and Procedure, any restructure undertaken requires an Equality Impact Assessment (EIA). The EIA is a key tool for helping to ensure that the Council can demonstrate that it has met its legal duties under the Equality Act 2010 and the Public Sector Equality Duty.

In this section you will need to assess the impact (positive, neutral or negative) of your restructure on staff (with **protected characteristics**). Currently, there are **nine** protected characteristics: age, disability, sex/gender, ethnicity/race, religion/faith, sexual orientation, gender reassignment, marriage/civil partnership, and pregnancy/ maternity/paternity. In addition, you will also need to think about socio-economic status.

For more details on the Council's Fair to All approach to equality and diversity, please visit our Equality and Diversity Intranet pages. For any additional advice, please contact diversity@haverling.gov.uk

1. People affected

- a) Please outline the proposed changes and the justification/rationale behind the proposed restructure. Please also complete the table below as per the information in your organisational change proposal report.

| | |
|---|--|
| Overall post reduction/deletions (FTE): | |
| – of which, posts filled by permanent employees (FTE): | |
| – of which, reduction of vacant posts (FTE): | |
| – of which, posts covered by agency workers (FTE): | |
| | |
| Overall post creation (FTE): | |
| | |
| NET POST REDUCTION/CREATION (FTE): | |
| | |
| TOTAL NUMBER OF EMPLOYEES AT RISK OF REDUNDANCY (Headcount – not FTE) | |

- b) Please provide an outline of any changes of terms and conditions for affected staff members, including staff with assimilation rights.

Section 3.4 of the Organisational Change and Redundancy Policy and Procedure outlines how assimilated posts are determined in a restructure.

Please include any likely changes to:

- working patterns, relocations and hours
- reduction in post grades
- any other changes to employees' terms and conditions

2. Data and evidence

In this section, you are required to consider and record the equality implications of your restructure on staff with protected characteristics based on the available workforce data from Oracle. Please refer to 3.5 of the Organisational Change and Redundancy Policy and Procedure for further details.

Guidance on how to carry out the EIA is available below:

| Example: Protected characteristic | |
|--|---|
| <i>Please tick (✓) the relevant box:</i> | <p>Overall impact: <i>In the sections below you will need to indicate and note what impact your proposed restructure will have on staff with protected characteristics based on the data and information you have, as follows:</i></p> <ul style="list-style-type: none"> - <i>Positive impact</i> - <i>Neutral impact</i> - <i>Negative impact</i> <p><i>It is essential that you note all negative impacts. This will demonstrate that you have undertaken the correct process if the restructure is challenged under the Equality Act.</i></p> |
| Positive | |
| Neutral | |
| Negative | |

Evidence: *In this section, you will need to note the evidence that you have used to assess the impact of your restructure on staff with protected characteristics.*

You will need to include evidence from monitoring data and other Human Resources information. You should also consider and note any equality and diversity issues raised during the consultation process.

*When assessing the impact, please consider and note how you will ensure that the Council continues to meet its legal obligations under the **Public Sector Equality Duty (PSED)**:*

- *eliminate discrimination, harassment and victimisation;*
- *advance equality of opportunity, and*
- *foster good relations between people with different protected characteristics.*

*The Council also has a **duty to consider and make ‘reasonable adjustments’** for disabled employees. Full consideration should be given at each stage of the process to ensure that disabled employees are not placed at a disadvantage for a reason related to their disability.*

Details on potential/likely impact identified:

- *If you have identified a positive impact, please note this.*
- *If you think there is a neutral impact or the impact is not known, please provide a full reason why this is the case.*
- *If you have identified a negative impact, please note what steps you will take to mitigate the impact. If you are unable to take any mitigating steps, please provide a full justification why. All negative impacts that have mitigating actions need to be recorded in the **Action Plan**.*

The EIA

| | |
|---|------------------------|
| Age: Consider the full range of age groups | |
| <i>Please tick (✓) the relevant box:</i> | Overall impact: |
| Positive | |
| Neutral | |
| Negative | |
| Evidence: | |

| |
|--|
| |
|--|

| | |
|--|------------------------|
| Disability: Consider the full range of disabilities, including physical mental, sensory and progressive conditions. | |
| Please also consider staff members who already have in place or have requested reasonable adjustments to their working environment. | |
| <i>Please tick (✓) the relevant box:</i> | Overall impact: |
| Positive | |
| Neutral | |
| Negative | |
| Evidence: | |

| | |
|--|------------------------|
| Sex/gender: Consider both men and women | |
| Pregnancy/Maternity/Paternity: Consider staff involved in the restructure who are currently on maternity and paternity leave or are known to be due to go on maternity and paternity leave. | |
| <i>Please tick (✓) the relevant box:</i> | Overall impact: |
| Positive | |
| Neutral | |
| Negative | |
| Evidence: <i>Please include figures on the number of staff who are on maternity and paternity leave.</i> | |

| | |
|---|------------------------|
| Ethnicity/race: Consider the impact on different ethnic groups and nationalities | |
| <i>Please tick (✓) the relevant box:</i> | Overall impact: |
| Positive | |
| Neutral | |

| | |
|------------------|--|
| Negative | |
| Evidence: | |

Other equality implications

Where relevant, please provide the impact of your proposed restructure on staff with the following protected characteristics:

- *Religion/faith*
- *Sexual orientation*
- *Gender reassignment*
- *Marriage/civil partnership*
- *Socio-economic status, for example caring responsibilities*

Monitoring data is not available for all protected characteristics at the level of the proposed restructure you are undertaking. However, you should still consider the equality implications by using any appropriate consultation and monitoring data or Human Resources information where it is available.

If you have identified a negative impact, please follow the same process as you have done for the other protected characteristics.

| | |
|--|--|
| Will the restructure have an impact on individuals or groups that use your service? | <p>Yes / No</p> <p><i>If yes, an Equality Impact Assessment on the activity will be required.</i></p> <p><i>If you are unsure, please seek advice from the Corporate Policy & Diversity team at diversity@haverinq.gov.uk</i></p> |
|--|--|

Action Plan

In this section you should list the specific actions that set out how you will address any negative equality impacts you have identified in this assessment.

| Protected characteristic | Identified negative impact | Action taken to mitigate impact* | Outcomes and monitoring** | Timescale | Lead officer |
|--------------------------|----------------------------|----------------------------------|---------------------------|-----------|--------------|
| | | | | | |
| | | | | | |
| | | | | | |

* Section 5.1 of the Organisational Change and Redundancy Policy and Procedure outlines the consultation process with staff and Trade Unions.

** Monitoring: You should state how the negative impact will be monitored; how regularly it will be monitored; and who will be monitoring it (if this is different from the lead officer).

Review

In this section you should identify how frequently the EIA will be reviewed; the date for next review; and who will be reviewing it.

Strictly Private and Confidential

Part A of this form to be completed by the employee and returned to your Head of Service

.....

Part A

To: *(insert name, post title and work address of Head of Service)*

Expression of interest in an estimate of benefits for voluntary redundancy

I wish to receive an estimate of benefits for release on the grounds of voluntary redundancy. If you are a member of the LGPS, and are aged 55 or over, this estimate will also include an estimate of pension benefits which may be payable.

Personal details

Full name:

Home address:

Post title:

Line manager:

Grade of post:

NI number:

Pay number:

Date of birth:

Date of continuous local government service (if known):

Please advise if you are employed in more than one role with the Council.
Yes/No.

If Yes: please detail all roles and working hours in the space below:

I understand:

- I will only be provided with an estimate of benefits if I am in the group of employees identified by the Head of Service to request estimates.
- by submitting this request I will receive an estimate of redundancy benefits based on a potential release date of *(to be inserted)*.
- that this expression of interest does not mean that I will be released on the grounds of voluntary redundancy and that this request for estimates is not an application for release.
- that I will be asked to confirm on receipt of my estimate if I would wish to be considered for release for voluntary redundancy.
- that the decision regarding release on the grounds of voluntary redundancy is a matter for the Head of Service to consider.
- that the voluntary redundancy scheme may be withdrawn or changed at any time, solely at the discretion on the Council.

Signature

Date

.....

This part of the form to be completed by Head of Service and sent to their HR Lead Adviser.

Part B

To: *(insert name of HR Lead Adviser)*, Internal Shared Services, 1st Floor Central Library.

From: *(insert name and post title of Head of Service)*

Please prepare an estimate of benefits for the above named employee and send to their home address as advised above.

Please also send me a copy of this estimate marked private and confidential.

Name:

Signature:

Date:

Voluntary Redundancy Business Case Template

Appendix 6

Strictly Private and Confidential

Head of Service Business Case for Redeployment & Redundancy Panel

| | |
|--|---|
| Employee name | |
| Current post and grade | |
| Service area | |
| Cost of release | Employee aged over 55 and in LGPS - attach estimate from pensions, showing cost of release to pension fund and redundancy payment due. Employee aged under 55 -attach estimate letter to the employee showing redundancy payment. |
| Please detail the case for the release of this member of staff against the following selection criteria: <ul style="list-style-type: none">• Whether the release will avoid the need for compulsory redundancy• Potential impact of the loss of the individual's skills, knowledge and experience• Any other relevant issue such as labour market shortages, known retention problems etc Please attach structure chart and/or ring fencing document showing position of this role within the structure. | |

| | |
|---|--|
| Any other relevant information you would wish the panel to consider? | |
|---|--|

Signed.....Date.....
 Name.....

Decision of the Redeployment & Redundancy Panel

Name of employee.....

Current post and service.....

Date of birth.....

It is the decision of the panel that the above named employee

Either

is released on the grounds of voluntary redundancy*

Or

is not released on the grounds of voluntary redundancy*

*Please delete as appropriate.

Signed – panel members:

1. Signature.....Name.....Date.....

Name (please print).....

2. Signature.....Name.....Date.....

Name (please print).....

3. Signature.....Name.....Date.....

Name (please print).....

Memorandum of Early Conclusion of Formal Consultation Template



MEMORANDUM OF EARLY CONCLUSION OF FORMAL CONSULTATION

1. HAVERING LONDON BOROUGH COUNCIL (“the Council”) has been undertaking formal consultation with UNISON, GMB, UNITE, NATIONAL UNION OF TEACHERS (NUT), NATIONAL ASSOCIATION of SCHOOLMASTERS and UNION of WOMEN TEACHERS (NASUWT) (“the Unions”) under s.188 Trade Union and Labour Relations Act 1992 regarding reorganisation proposals by the Council which may have the effect of making some employees of the Council compulsorily redundant.
2. There have been consultations regarding the proposal for the reorganisation of and the Unions have made representations to the Council which the Council has considered and has either amended its proposals or has explained why it has not been able to accede to the representations.
3. Both the Council and the Unions agree that the consultation process for the re-organisation of has now been concluded.

Dated

SIGNED on behalf of the Council:

SIGNED on behalf of the Unions with members affected by the reorganisation

Group Director

UNISON branch secretary*

GMB branch secretary*

UNITE branch secretary*

NUT branch secretary*

NASUWT branch secretary*

*(delete as appropriate)

Appeal Against Redundancy Procedure Introduction

Appendix 8 1.

- 1.1 An employee may submit in writing an appeal against selection for redundancy to the Director of HR & OD (or representative), within five working days of receipt of the notice of redundancy. Only employees of the Council who have been selected for redundancy may submit an appeal under this procedure.
- 1.2 The employee in their letter of appeal to the Director of HR & OD must set out the grounds for appeal and provide any supporting statement and/or documentation to allow the appeal to be considered.
- 1.3 All employees have the right to have a redundancy appeal hearing and may choose to be accompanied at the hearing by a Trade Union representative or a work colleague.
- 1.4 The appeal will be heard by the Redundancy & Redeployment Panel chaired by a Group Director and comprises the Director of Legal & Governance and the Director of HR & OD (or their representatives).
- 1.5 The appeal should normally be dealt with within 15 working days of its submission unless exceptional circumstances require a longer timescale.
- 1.6 The employee will be notified of the outcome of the appeal within 5 working days of the hearing.
- 1.7 The decision of the Panel will be final and there is no further right of appeal.

2. Procedure for Appeal Hearing

- 2.1 The Panel shall, where appropriate satisfy itself that the appellant is aware of their right to be accompanied by a trade union representative or a work colleague.
- 2.2 The appellant or representative shall submit their case in the presence of the management representative (usually the employee's Head of Service).
- 2.3 The management representative shall be given the opportunity to ask questions of the appellant/representative.
- 2.4 The Panel may ask questions of the appellant/representative.
- 2.5 A management representative shall submit the case for the redundancy in the presence of the appellant and/or representative.
- 2.6 The appellant and/or representative shall be given the opportunity to ask questions of the management representative.
- 2.7 The Panel may ask questions of the management representative.
- 2.8 The appellant/representative and the management representative may sum up their cases if they so wish.
- 2.9 The management representative, the appellant and their representative shall withdraw whilst the Panel deliberates the case. If any recall is necessary to clarify points of uncertainty, both parties are to return.
- 2.10 The Panel decides.
- 2.11 Both parties shall be recalled and notified of the Panel's decision.
- 2.12 The decision of the Panel will be confirmed in writing within 5 working days of the hearing.

Trial Period Monitoring Template

Trial Period Monitoring template Strictly

Private and Confidential

Name of employee
Name of line manager
Service area
Review dates week 1
 week 2
 week 3
 week 4

Start date of trial period

Week One (Note one review document to be completed for each week of trial period)

| Activity to be undertaken | To be completed by (date) | Review notes | Learning and development support to be provided |
|---------------------------|---------------------------|--------------|---|
| | | | |
| | | | |

| | | | |
|--|--|--|--|
| | | | |
|--|--|--|--|

18.01.21

54

| | | | |
|--|--|--|--|
| | | | |
|--|--|--|--|

Signed Line Manager

Signed employee

Date:

Date:

