

Harrow Council

Change Management and Organisational Review Policy

This policy, procedure and associated guidance is contractual and forms part of the employment contract for employees at Harrow Council. The policy, procedure and associated guidance may be amended at any time in consultation with the trade unions.

1.0 Introduction

- 1.1 Harrow Council aims to provide cost effective services that put the customer as the main focus of everything we do whilst meeting the differing needs of the residents of the borough.
- 1.2 The Council operates in a changing environment and at times needs to review the way it provides services and its structures to respond to internal and external challenges such as budget pressures and legislative changes.
- 1.3 The Council acknowledges that considering the needs of its employees through the development, implementation and review of it's policies is important, and is reflected in this policy and associated documents.
- 1.4 The purpose of this policy is to facilitate change and mitigate the impact of change on Council employees, minimising redundancies and retaining skills as far as possible, ensuring that service needs are met by having the right people with the right skills to ensure the best service is provided to meet the needs of the residents of Harrow.

2.0 Scope of this Policy

- 2.1 This policy applies to all employees of Harrow Council, including those on fixed term contracts, whose roles may be affected by internal organisational reviews which could lead to either a reduction in staff numbers or significant changes to jobs.

In determining eligibility for assimilation, ring fencing or open competition, the determining factor will be the substantive post of the employee, including secondments, acting up and fixed term arrangements providing the employee has been working under such arrangements for a minimum of one year.

- 2.2 Employees on other terms and conditions, such as NHS, will be treated in accordance with their terms and conditions and in respect of entitlements for example to redundancy payments.

- 2.3 This policy does not apply to School employees or 'as and when' workers, nor does it apply where:
- proposed changes affect a single individual post or
 - where proposed changes do not fundamentally affect job roles or organisational/reporting arrangements, or where
 - In the above circumstances, managers should notify or inform trade unions where appropriate.

3.0. Principles

- 3.1 The Council will comply with all legislative requirements and in accordance with this policy and procedure. In the context of organisational and service change, the provisions contained in the Change Management and Organisational Review policy/procedure and guidance documents will prevail over all other employment practices and procedures.
- 3.2 The Council will develop and maintain mutually supportive relationships with the Trade Unions in the implementation of change.
- 3.3 Discussions with employees and trade unions will be conducted in a spirit of openness and partnership and consultation will be meaningful. Disagreements will inevitably arise from time to time and will be recorded where there is failure to agree. All parties will observe agreed procedures where they are not able to agree.
- 3.4 The effect of organisational change on employees will be mitigated to ensure that employees are dealt with on an equitable and fair basis.
- 3.5 An effective communications strategy and action plan with affected employees and trade unions, at an early stage, and throughout the process, will help reviews to be conducted in a manner and at a pace that will endeavour to bring about changes within any required timescale. Affected staff should be provided with as much information as possible as a means of reducing the ambiguity and subsequent anxiety that results from change and includes consultation documents, letters, face to face briefings and regular updates.
- 3.4 Appropriate support and guidance will be made available to all employees throughout the change process.

4.0 CONSULTATION

- 4.1 Proposals for change will be discussed at an early stage with the relevant Trade Unions and with affected employees before detailed proposals are

developed and shared with the workforce at one of the following; DJC, CJC, a Consultation Group (specifically set up to meet project requirements), ECF Sub Group and ECF Forum, allowing trade unions the opportunity to make comment before formal consultation commences.

- 4.2 Proper consideration will be given to counter proposals put forward. Whenever employees' views are not accepted the reasons for doing so will be carefully explained. Conversely, where the views and ideas of employees help to improve a decision due credit and recognition should be given in writing.
- 4.3 When following informal consultation and engagement a proposal has been developed the responsible manager will start the formal consultation process by calling a consultation meeting of staff affected and their Trade Union representatives. A formal consultation process should always be launched and begin with a staff meeting with invited trade union representatives.
- 4.4 Formal consultation will endeavour to ensure that any new structures are implemented through the most effective means available whilst seeking to avoid or minimise the number of redundancies.
- 4.5 Affected employees who are absent from work as a result of sickness, maternity leave or any other reason, and those who have been seconded to another role must be properly informed and consulted on the proposals. The relevant documentation will be sent to individuals who are absent and where possible arrangements made to meet with them.
- 4.6 Cross-Council change projects and the appropriate consultation and trade union facility time arrangements will be discussed and agreed with the trade unions and the relevant lead officer/project group.

5.0 STATUTORY NOTIFICATION

- 5.1 Where an organisational or service review may result in large numbers of redundancies, the Council has a statutory obligation to inform The Secretary of State. A form HR1 is provided for this purpose. The Divisional Director of HR and OD or person of a service position Divisional Director or above is responsible for completing and submitting the return and sending a copy to the Trade Unions/Branch Secretaries/Regional Officers.

6.0 APPOINTING TO THE NEW STRUCTURE.

- 6.1 Following formal consultation role profiles for the new roles and or existing roles that have changed and are updated (and agreed with their line manager) will be finalised and evaluated.

- 6.2 A job matching exercise will match the existing (and updated) role profiles to evaluated role profiles in the new structure.
- 6.3 Where role profiles in the existing structure are broadly similar to those in the new structure, and there are the same number of jobs in both the old and new structure then assimilation will normally apply. Employees who are acting up or seconded to a higher graded role will not normally be considered for assimilation unless the employee has been in the post for a significant period of time usually one year or has not been advised of an end date to their Fixed Term contract. Managers should seek advice from HR when considering the assimilation status of Fixed Term employees.
- 6.4 Where role profiles are not broadly similar or they are similar but there are fewer jobs in the new structure, or the roles are new, then ring fencing will apply. Appointments to posts within a ring fence will be by competitive interview, which may include testing subject to consultation with trade unions.
- 6.5 Where following assimilation and/or ring fencing an appointment is not made or there are new posts in the structure the posts will be filled by means of open competition and will be limited in the first instance to those individuals in the ring fence within the service area.
- 6.6 Where it is not possible to offer an employee a post in the new structure then the unsuccessful employees will be considered for redeployment and will be notified that they are at risk of redundancy.

7.0. EMPLOYEE SUPPORT

- 7.1 A range of support measures will be provided for employees at each stage of the process.

8.0 CONFIDENTIALITY AND RECORD KEEPING

- 8.1 Records of consultation meetings and one to one meetings must be made. All information disclosed during the process must be treated with sensitivity and confidentiality and kept securely in accordance with the Data Protection Act 1998. All decisions including information relating to selection 'such as reorganisations, assimilation, appointment or redundancy' should be recorded and held on the individual employee's file. A redundant employee is entitled to request an anonymous comparison of the assessment information between themselves and others in the pool of selection. The manager will ensure compliance with the Data Protection Act (1998) when agreeing to this request.

9.0 EQUALITY AND DIVERSITY

- 9.1 When dealing with organisational change, managers will ensure that equality and diversity considerations are fully taken into account at every stage of the process and this also includes carrying out Equality Impact Assessments (EIAs) in consultation and in review with the trade unions.
- 9.2 Reasonable adjustments will be considered fully for employees who have a disability.

10.0 GRIEVANCE

- 10.1 If an employee considers they have been treated unfairly at any stage during the Change Management and Organisational Review Procedure then they may pursue the matter under the Grievance Procedure.

Appendix 1 – GLOSSARY:

Change/Organisational change: For the purposes of this policy, it is defined as a reorganisation of work which occurs as a result of a specific intervention and may impact the Council's employee numbers, reporting structures, and/or the job content of affected employees.

It is important to note that the definition of change for the purposes of this policy does not include issues such as cultural change and ongoing improvements in processes and/or working practices (e.g. a department replacing paper forms with electronic ones).

Cross-Council change: a restructure which affects employees working in more than one service area/directorate.

Ring-fencing: Protection of a vacancy from external competition – i.e. only employees working in the area(s) likely to be affected by the proposed changes are eligible to apply for the new positions.