



ORGANISATIONAL CHANGE PROCEDURE

Date: October 2015

Version: Final Draft

ORGANISATIONAL CHANGE

1. Introduction

- 1.1. This procedure is one of the key tools that supports the Council's workforce strategy and should be read in conjunction with it.
- 1.2. The Council recognises the importance to its staff of security of employment and seeks wherever possible to minimise the impact of organisational change, including redundancies, on its employees by following fair and open procedures to implement change.
- 1.3. This procedure sets out the Council's approach to managing human resources implications of organisation change.
- 1.4. The Council will consult at the earliest opportunity with recognised trade unions in line with the agreed consultation process.
- 1.5. Individual consultation will be held with employees on changes to their job descriptions and/or changes to workplace or working methods which are needed to achieve organisational change.
- 1.6. This procedure should be read in conjunction with the Council's procedures on:
 - Redeployment;
 - Severance
- 1.7. This procedure does not apply where the change involves the transfer of staff under TUPE regulations.

2. Consultation Process

- 2.1. Managers should consult fully at the earliest opportunity with recognised trade unions when organisational change is being considered. This may include a restructure of a service and/or team, reducing or stopping a service, or provision through a different model.
- 2.2. "At the earliest opportunity" means starting full and meaningful consultation whilst proposals are still in the formative stages. It may be that some of the detailed information is not available at the outset when consultation begins,

however, the information must be issued to the trades unions when it does become available.

- 2.3. Consultation must comply with any statutory requirements placed on the Council in circumstances where there may be potential redundancies or TUPE transfers.
- 2.4. The Council's Severance Policy outlines the timeframes and requirements for consultation.
- 2.5. The Management/Trade Union Consultation Group has been established as the forum for managers to formally present their initial service redesign proposals for consultation. Following on from that meeting, managers will then engage in detailed discussions with the relevant TU reps and staff.
- 2.6. The length of the consultation process period will vary depending on the particular circumstances, but must be reasonable given the nature of the changes being considered and should include:
 - Information on the rationale that prompts the change in service delivery;
 - Identification of the number of posts 'at risk' of redundancy; if any.
 - Provide recognised trade unions with sufficient time to consider the proposals and consult members;
 - Allow trade unions and affected employees to express their views and concerns;
 - Allow trade unions and employees reasonable time to put forward any alternative proposals.
 - Consider fully any formal responses received from trade unions.
- 2.7. A record of the discussion and manager responses to all representations must be retained and shared with the trades unions. Parties must be mindful of the roles and responsibilities which they have within this process. There must be mutual respect for the views and opinions expressed and all information shared must be dealt with sensitively and confidentiality maintained at all times.
- 2.8. On conclusion of the consultation process a final paper will be tabled at the Trade Union/Management group.

3. Supporting Staff

- 3.1. Managers should keep employees informed throughout the process. Uncertainty can increase levels of anxiety and staff will be provided with information to access counselling/support services.
- 3.2. Service Managers should liaise with the HR Service at the earliest opportunity to ensure that they are professionally advised and supported through the restructuring process.

4. Consultation on changes to job role

- 4.1. Job roles may change because the job has evolved, to act as a driver for change, as a result of new technology or to meet new service or statutory requirements.
- 4.2. In these circumstances managers should:
 - Discuss with the employee any proposed change to the job description;
 - Invite the employee to give their views either in writing or at a meeting;
 - Provide support and training if it is necessary to help the employee deal with the changes to the post;
 - Provide, once consultation is concluded, a copy of the revised job description and write to the employee confirming the date when the revised duties will take place;
 - Take account of Equalities legislation during the process of job redesign.

5. Appointment to a new staffing structure

- 5.1. Where changes to staffing structures are required as a result of organisational change the movement of staff from the old to the new structure should be achieved as effectively as possible through the quick and fair identification of job matches, slotting in and ring fenced recruitment.
- 5.2. All new jobs created, and any jobs where the job description is significantly revised as a part of the restructure must be evaluated under the Council's job evaluation process.

- 5.3. Employees at risk of redundancy should be placed onto the Council's redeployment register. The Council's procedure on redeployment provides guidance on this process.
- 5.4. Where an employee's existing role covers all or a significant portion of the new post, then the holder of the existing post shall have the contractual right to be matched into the new post subject to the following:
 - The functions and responsibilities of the posts are significantly similar,(i.e. organisational relationships, principal purpose, main duties, communications, demands of the job, knowledge, skills and experience required and working environment);
 - The grade of the new post is the same as the redundant post ;
 - No other employee can be identified as undertaking a directly comparable post; and
 - Where there is a group of similar employees, the number of posts is equal to the number of comparable individuals.
- 5.5. Where matching is not possible, due to the fact that new posts are significantly different or there is more than one person who may be identified as being eligible to apply for the post, then competitive ring fenced recruitment will normally apply. Consideration will be given to both function and grade at this stage and will normally include affected individuals at the same tier.
- 5.6. Employees who have not been job matched will be given opportunity to appeal against the job match outcomes if they can demonstrate that their current post is a match to the post in the new structure.
- 5.7. Appeals with respect to job matching will be dealt with prior to ring fenced recruitment commencing.
- 5.8. Candidates eligible for competitive ring fenced recruitment will be invited to indicate interest and complete a supporting statement for each role of interest. All candidates meeting the criteria would be invited to a competency based selection interview. Selection would be by panel interview who would consider previous experience, qualifications, PRD, and supporting validation statements, as well as the information obtained via the interview process itself.

- 5.9. The interview itself will be competency based. Prior to the interviews staff will be provided with advice and support to ensure that all candidates have an equal understanding of the process.
- 5.10. Employees who have not been appointed to a particular post in the new structure as a result of job matching or ring fenced recruitment will be placed onto the Councils redeployment register.

6. Monitoring and Review

- 6.1. Both HR and Trade Union Representatives shall monitor the effectiveness of the procedure on an ongoing basis. Changes may result from employee, management and trade union feedback and/or from changes in employment legislation. Revisions and updates will be implemented by the Council following consultation with recognised trade unions.

Policy Name	Organisational Change
Department	HR
Policy Lead	HR
Equality Impact Assessment	
Full EQIA required	Yes <input type="checkbox"/> No* <input checked="" type="checkbox"/>
* In no please provide rationale Policy applies equally to all Council employees and does not negatively impact on any group which falls within any of the 9 protected characteristics	
Date Full EQAI complete	N/A
Date Approved	
Review Date	

Appendix 1 - Organisational Change - Service re-structure and redesign Checklist for consultation

	YES	NO	COMMENT (include relevant dates / timescales / actions etc
Is the Service restructure or re-design likely to lead to a reduction in post?			
Have you advised and taken the appropriate advice from HR?			
Can redundancies be avoided by any of the following means:- <ul style="list-style-type: none"> · natural wastage · redeployment · early retirement · voluntary severance · flexible working · reducing agency / temporary posts · achieving savings by any other means 			
Have you prepared a written plan stating : <ul style="list-style-type: none"> · reason for reduction in posts · number, type and location of posts affected · selection criteria for identifying pool of employees potentially affected · timescales for reduction in posts · arrangements for making redundancies · arrangements for calculating redundancy pay · options for avoiding compulsory redundancies 			

Clackmannanshire Council
Organisational Change Policy and Procedure

	YES	NO	COMMENT (include relevant dates / timescales / actions etc
· redeployment opportunities			
Have you shared this plan with the Union at the Consultative Forum?			
Have you had feedback? If so what?			
Have you set up meetings with the relevant TU rep(s) for more detailed consultative discussions?			
Have you had feedback ?			
Have you consulted with staff?			
Have you had feedback from staff? If so, what?			
Has the selection criteria for redundancy been agreed?			
Have you formally concluded the consultation process and notified staff and TUs in writing?			

Clackmannanshire Council
Organisational Change Policy and Procedure

	YES	NO	COMMENT (include relevant dates / timescales / actions etc
Have you notified Staff and TUs of the next steps?			
Have you provided HR with a list of employees for to be placed on the redeployment register?			
Have you issued redundancy notices where appropriate?			
Have you completed paperwork for any who have taken voluntary severance ?			
Have any of the staff in the affected posts agreed to voluntary redundancy?			
Have you advised HR and completed relevant paperwork?			
Have you notified payroll as regards changes?			



REDEPLOYMENT POLICY

Date: October 2015

Version: Final Draft

REDEPLOYMENT POLICY

1. Policy Statement

- 1.1. Clackmannanshire Council values its employees and the skills and talents they bring to the organisation, consequently the Council will take all reasonable steps to protect their security of employment.
- 1.2. Wherever possible, the Council will redeploy employees who no longer have a post and those who are unable to continue in their current role as a result of ill health, disability or capability.
- 1.3. This policy aims to ensure that the management of redeployment is fair, consistent and supportive.
- 1.4. It is acknowledged that there may be occasions when no suitable alternative employment is available and on these occasions, as a last resort, termination of employment may be the only option available.

2. Scope

- 2.1. This policy applies to all Council employees who:
 - require redeployment based on **ill health or disability**;
 - are at risk of redundancy and have a minimum of 12 months continuous service;
 - require redeployment as a result of **restructure** and have a minimum of 12 months continuous service;
 - require redeployment as a result of their ability to carry out the duties within their current post and have a minimum of 12 months continuous service;
 - individual cases will be considered where redeployment would be appropriate for example as the outcome of a **grievance**.
- 2.2. It does not apply in disciplinary cases, where separate rules apply.
- 2.3. It does not apply to any employee whose post is transferring under TUPE regulations.

3. Principles

3.1. The Council will adhere to the following general principles:

- Every individual will be treated fairly;
- The Council will comply with its duties under the Equalities Act 2010;
- Redeployment will always be dealt with promptly, sensitively and in full consultation with the individual, who has a right to be accompanied by a TU representative or colleague at all meetings;
- The Council will give priority to those requiring redeployment by considering them for matching against suitable vacant posts before advertising these more generally;
- The Council will try, wherever possible, to redeploy employees into a role which is compatible with their skills, capabilities and existing terms & conditions;
- The Council will support those redeployed during the transition by providing a period of salary preservation;
- Where the employee's contract of employment is likely to end, the Council will comply with the duty to allow reasonable time off for job search and interviews during the notice period.

4. Roles and Responsibilities

4.1. A corporate approach should be adopted by all to achieve the best possible outcome for both the employee(s) and the Council as a whole for staff on redeployment.

4.2. Employees should actively participate and cooperate in the redeployment process and be as flexible as possible in considering alternative employment to maximise their chance of success.

5. Monitoring and Review

- 5.1. Both HR and Trade Union Representatives shall monitor the effectiveness of the procedures on an ongoing basis. Changes may result from employee, management and union feedback and/or from changes in employment legislation. Revisions and updates will be implemented by the Council following consultation with the recognised trade unions

Policy Name	Redeployment Policy
Department	HR
Policy Lead	HR
Equality Impact Assessment	
Full EQIA required	Yes <input type="checkbox"/> No* <input checked="" type="checkbox"/>
* In no please provide rationale Policy applies equally to all Council employees and does not negatively impact on any group which falls within any of the 9 protected characteristics	
Date Full EQAI complete	N/A
Date Approved	
Review Date	



REDEPLOYMENT PROCEDURE

Date: October 2015

Version: Final Draft

REDEPLOYMENT PROCEDURE

1. Introduction

- 1.1. This procedure is one of the key tools that supports the Council's workforce strategy and should be read in conjunction with it.
- 1.2. It is recognised that situations may occur where an employee is no longer able to continue in their current role for reasons of restructure, redundancy, capability and in certain circumstances as an outcome to disciplinary sanctions and consequently this procedure should be read (as appropriate) in conjunction with the Council's:
 - Severance Policy and Procedure;
 - Capability policy & Procedures;
 - Maximising Attendance and Employee Wellbeing Policy & Procedures.
- 1.3. This policy does not apply where the individual would be subject to the TUPE regulations.
- 1.4. Separate mobility and compulsory transfer arrangements apply to teaching staff.

2. Representation

- 2.1. Employees have the right to be accompanied by their trade union representative or work colleague to any meetings convened under the redeployment procedure.

3. Key Principles

- 3.1. Redeployment into another post will not be automatic, it will only be where the employee meets the minimum/essential requirements for the role and is then successful following an interview.
- 3.2. Offers of alternative employment are, at a minimum, subject to a statutory 4 week trial period.
- 3.3. If an employee is redeployed into a lower grade post their salary will be preserved for a period of 12 months.
- 3.4. Employees on redeployment will be advised of all available jobs prior to advertisement to the wider Council and/or external market and will be invited to express their interest if they meet the minimum essential requirements.

4. Redeployment

Ill Health and Disability

- 4.1. The formal redeployment procedure should only be considered in cases of ill health or disability where there is clear medical guidance from Occupational Health recommending that the employee can no longer carry out the duties of their current post.
- 4.2. The Council will comply with the Equalities Act 2010 and consider redeployment, along with any other reasonable adjustment for any employee, regardless of length of service.
- 4.3. The redeployment procedure will be considered alongside of the Council's Capability procedures,

Risk of Redundancy

- 4.4. This procedure applies where an employee is at risk of redundancy and has a minimum of 2 years continuous service.

Restructure

- 4.5. This procedure applies where an employee who has a minimum of 2 years continuous service with the Council may no longer have a post or their post is

substantially changed in skills or competencies which are required as a result of restructure.

Capability

- 4.6. This procedure applies where an Employee who has a minimum of 2 years continuous service with the Council and who is consistently falling below the standard required to carry out the duties of their current post to a professionally acceptable standard due to lack of ability. In such cases, redeployment procedures will be considered as part of the Council's Capability procedure.

Individual Circumstances

- 4.7. This procedure will apply to individual situations where a Head of Service and employee agree that redeployment could be an appropriate resolution, for example as the outcome of a grievance.

5. Process

- 5.1. When it is identified that an employee is unable to fulfil the duties of their post because of ill health and all reasonable adjustments have been exhausted, where the employee is at risk of redundancy or where notice of termination is issued to an employee who has a minimum of 2 years service HR will enter the employees details on the redeployment register.
- 5.2. Line managers will arrange to meet with identified staff, explain the redeployment process and provide a copy of the Council's agreed procedure.
- 5.3. HR will seek email contact details from all affected staff but for those who do not have a work or personal email then communication will be via post.
- 5.4. Staff on the redeployment register will be required to complete a Matching Profile (Appendix A).
- 5.5. Each employee on the redeployment register will be notified of each vacant post including the profile and specification, as they become available and will be invited to express an interest.
- 5.6. All vacancies, unless agreed by CMT, will be advised to staff on the redeployment register in the first instance.

- 5.7. CMT will only agree in exceptional circumstances to not notifying redeployees in the first instance e.g. where a delay in recruitment may have a financial/legal impact and wider recruitment is undertaken, with those applying through redeployment, being prioritised where they meet the essential minimum criteria.
- 5.8. The timescale for expressing an interest will be one week from notification .
- 5.9. Staff on the redeployment register wishing to express an interest for any vacancy should complete a Supporting Statement (Appendix 2).
- 5.10. Where a post is assessed by HR as being a "suitable alternative post" for a member of staff on the redeployment register and no expression of interest is received HR will contact the member of staff requesting they provide details on why they did not submit an expression of interest.
- 5.11. A member of staff who fails to express an interest in being considered for "suitable alternative post" as assessed by HR and who subsequently refuses an offer of a suitable post, whether an interview has taken place or not, may lose their right to payment of their redundancy payment.
- 5.12. The relevant recruiting manager will be provided with (1) the Matching Profile and (2) Supporting Statement for each employee who has expressed an interest in being considered for the post being advertised.
- 5.13. The recruiting manager will be responsible for longleeting/shortleeting in line with the Councils Recruitment Procedure. (See section 6).
- 5.14. Staff will have to meet, as a minimum, the essential requirements of the post in full and will have to be interviewed for the post.
- 5.15. There may be some cases where the manager is satisfied that the staff member meets the criteria in the main and would be able to fulfil the requirements of the post with some training. Where this is the case the cost of the training will be met from the budget of the Service terminating the Employee's original post.
- 5.16. If there are no suitable candidates from the redeployment list then the vacancy will be advertised Council wide in the normal way.
- 5.17. Staff will remain on the Redeployment Register for the duration of their Notice period. If a suitable post cannot be found for them during this period then their employment will terminate upon expiry of the notice and their name will be removed from the Redeployment Register.

6. Assessment of the Employees Suitability for the Vacancy

- 6.1. The recruiting manager should assess suitability by comparing the employee's Matching Profile and Supporting Statement against the essential requirements in the person specification.
- 6.2. If the employee clearly fails to meet the essential requirements in the person specification (and could not meet these with a short period of training) and the recruiting manager therefore does not wish to interview, the manager should feedback the reasons to Human Resources. The employee should be offered feedback by the recruiting manager.
- 6.3. If the employee meets the person specification and the decision is to interview, the recruiting manager should arrange the interview via Human Resources.
- 6.4. If a candidate meets the essential criteria, or would do after a short period of training, an appointment should be made.
- 6.5. The recruiting manager and the appropriate HR representative, should interview and make their decision by assessing the candidates against the person specification for basic suitability, not excellence.
- 6.6. It is not acceptable to reject an employee on the basis that free and open competition may result in securing a better candidate.
- 6.7. If the employee is appointed to the post, an appointment / change / termination form should be completed and passed to Human Resources together with the interview assessment form and supporting statement.
- 6.8. Where the decision is not to appoint the candidate, the recruiting manager should complete the interview assessment form and return this to Human Resources.
- 6.9. The employee should be advised of the decision by the recruiting manager and offered feedback.
- 6.10. Where Human Resources wishes to challenge the recruiting Manager's view with regard to the potential suitability of an employee from the redeployment register they should:
 - approach the Manager to fully discuss the situation;
 - escalate to the Service Manager for the area where necessary;
 - refer to a Head of Service for a final decision.

7. Coaching and Training

- 7.1. The Council recognises that redeployment is potentially an unsettling process for any employee. It may have been quite some time since the employee has had to complete a job application or attend an interview. Consequently their current line manager should provide, or arrange, interview technique coaching for the employee where this would be of assistance.
- 7.2. When assessing the employee's potential for a post, recruiting Managers should always consider whether providing reasonable additional training or support would allow redeployment to take place.
- 7.3. "Reasonable" will usually mean training & support which would allow the employee to carry out the duties and responsibilities of the new role to a basic standard within a trial period.
- 7.4. Any associated costs should be met by the transferring service.

8. Trial periods

- 8.1. In appropriate circumstances, for example where redeployment will be to a different kind of work, a trial period may be agreed.
- 8.2. A trial period allows both the recruiting manager and the employee to decide if the new role is suitable.
- 8.3. Trial periods will last for a maximum of 4 weeks.
- 8.4. The recruiting Manager should be clear about what they are assessing during the trial period and let the employee know.
- 8.5. The recruiting Manager should meet with the employee regularly during the trial period to provide feedback and support.
- 8.6. At the end of the trial period the recruiting manager should conduct a formal review meeting with the employee and the HR adviser to confirm the outcome of the trial.
- 8.7. If the trial period has been successful from both the perspective of the recruiting Manager and the employee, the appointment should be confirmed.

- 8.8. If the trial period has been unsuccessful the employee reverts back to their original service and remains on the redeployment register for the balance of the redeployment period which is left.
- 8.9. If the recruiting Manager confirms that the trial has been successful but the employee does not and declines the post, the Council may consider that the employee has refused a suitable post. In these circumstances the employee must be informed of the potential consequences of declining the post.
- 8.10. The employee will remain on the redeployment register throughout the trial period and should be advised of any other suitable opportunities which arise.

9. Refusing a Suitable Post

- 9.1. Employees who are prepared to be flexible in the redeployment opportunities are more likely to be successful in securing an alternative post. It is however up to the employee to decide if they will accept the alternative post. In some situations they will wish to consider how any changes will impact on their personal and domestic circumstances.
- 9.2. Where an employee decides to reject the offer of a post which the Council considers to be suitable, they may lose entitlement to any potential redundancy payment .
- 9.3. The employee is required to state their reasons in writing for refusing to accept a post, so that the Council can consider its position with regard to redundancy.
- 9.4. The decision to withhold redundancy payments will be taken by the Head of Resources and Governance. The employee will be notified of the outcome in writing and they may submit an appeal to a member of the Council's Executive Management Team.

10. Notice and Termination

- 10.1. In most cases formal notice will be provided at the start of the redeployment process and run concurrently with time on the redeployment register, a maximum period of 12 weeks, depending on entitlement to statutory notice and any parallel procedures. On occasion, the potential need for redeployment may be identified well in advance of this - e.g. temporary contract, during the early stages of a capability process. In these circumstances, formal notice may be given to conclude at the same time as the post will end (or the timetable for the procedure would conclude).
- 10.2. In the last week of the redeployment period the current line manager and Human Resources Adviser should arrange a final review meeting with the employee, who may wish to be accompanied by their TU representative or a colleague. The purpose of the meeting is to:
- consider any new opportunities for redeployment which may have arisen
 - confirm the termination of contract and procedures to be followed
 - confirm any redundancy or other payment which the employee may be entitled to receive
 - allow the employee the opportunity to ask any outstanding question they have.
- 10.3. If at the end of the notice period the Council has been unsuccessful in redeploying the employee, their contract of employment will be terminated.

Policy Name	Redeployment Procedure
Department	HR
Policy Lead	HR
Equality Impact Assessment	
Full EQIA required	Yes <input type="checkbox"/> No* <input checked="" type="checkbox"/>
<p>* In no please provide rationale</p> <p>Policy applies equally to all Council employees and does not negatively impact on any group which falls within any of the 9 protected characteristics</p>	
Date Full EQAI complete	N/A
Date Approved	
Review Date	

Appendix 1 - Redeployment Matching Profile

(Your line manager or a member of HR can, if required, assist you in completing this form)

1. You & Your Current Post			
Name		Current Grade	
Current Job Role		Current Salary	
Current Location		Full /Part Time/Shifts	

Part Time Staff - Please indicate your current working pattern

	Mon	Tue	Wed	Thu	Fri	Sat	Sun
Hours Per Day							

<p>2. Current Duties: Please describe in detail the key responsibilities of your current job role.</p>

3. Previous Relevant Experience

Please tell us about previous jobs you have had in the Council or with another employer which would be relevant to redeployment (include any voluntary work)

4. Qualifications

Please tell us about any formal qualifications you have . (This includes vocational skills which require a certificate eg HGV driving)

5. Skills, Abilities & Knowledge

Please tell us about your key skills, abilities and knowledge which you feel could be used in another / different type of job

6. Training

Please tell us about any relevant training you have completed e.g. computer packages

7. Anything You Wish to Add?

Please tell us about anything else which you feel would be relevant to a vacancy selection process (major achievements, projects etc)

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10. Please let us know about any adjustments you may require during the redeployment process

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Employee Declaration

I confirm that the information on this form is correct

Signature		Date	
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Line Manager Validation

I declare that to the best of my knowledge the information provided on this form is correct

Signature		Date	
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Please return this form to Human Resources within
7 working days of your initial redeployment meeting

Appendix 2 - Supporting Statement

Supporting Statement

Name	
Post Applied for	

If you wish to be considered for the above post please outline how your skills and experience meet each of the essential criteria as outlined on the person specification.

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Signed	Date
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Appendix 3 - Redeployment Action Form

To be completed by Human Resources

EMPLOYEE NAME: _____

Reason for Redeployment (Tick appropriate box)	
Medical Grounds	<input type="checkbox"/>
Redundancy Situation	<input type="checkbox"/>
Restructure	<input type="checkbox"/>
Capability	<input type="checkbox"/>
Other (specify)	<input type="checkbox"/>
Date of Redundancy	
Type of post for consideration:	
Special conditions to be aware of:	

Additional Information:

Under Notice: Yes No Date Notice Expires

Completed By

Date Completed

Appendix 4 - Process Overview

