

Organisational Change

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REVIEW AND AMENDMENT LOG

Version Number	Date	Author	Description of Change or reason for update
V5	Oct 18	MLCSU People Services Team	Review in two years or sooner in line with legislation Key Changes: Grammar and Formatting
V6	Sept 19	Demi Shaw	Policy reviewed and Review date updated

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1 PURPOSE

- 1.1 This policy sets out the approach to organisational change within the Clinical Commissioning Group.
- 1.2 The organisation is committed to managing change in a proactive way, ensuring that staff are both aware of and understand the nature of the change, how it might affect them and that it is managed within a reasonable timeframe.
- 1.3 Changes which affect staff will be conducted in partnership with staff members and their trade union representatives to include full and meaningful consultation.
- 1.4 Consultation will take place in line with any statutory or contractual timescales in place at the time of the change programme
- 1.5 The CCG is committed to managing any change with due regard for the health and wellbeing of its workforce.

2.1 SCOPE

- 2.2 This policy applies to all staff that are the employees of the CCG role in a permanent, staff seconded from the CCG, or fixed term post. It does not apply to agency workers, office holders and consultants (self-employed)
- 2.3 This policy sets out a framework for the management of organisational change to ensure the CCG is fit for purpose for the future whilst ensuring stability and delivery during periods of change.
- 2.4 This policy sets out the principles and standards expected to ensure staff are appropriately supported and fairly treated during changes.
- 2.5 This policy has been agreed by management and trade union representatives.

3.1 GENERAL PRINCIPLES

- 3.2 Consultation will take place with staff and their trade union representatives as soon as the likely implications of a change programme are known, staff will be kept informed at all stages of the change process and the CCG will respond to staff concerns promptly.
- 3.3 The CCG will implement new organisational arrangements fairly and equitably.
- 3.4 The CCG will ensure openness and transparency in consultation and communications with staff.
- 3.5 The CCG has a responsibility to ensure business continuity throughout the period of change.
- 3.6 Wherever possible, reasonable steps will be taken to avoid redundancies
- 3.7 The CCG will ensure that business critical skills and experience are retained as appropriate

3.8 The CCG aims to ensure collaborative working between agencies in the case of integrated teams.

4.1 RESPONSIBILITIES

4.2 The Governing Body has a responsibility to oversee the implementation of this policy and to ensure that managers take action to meet the organisation's obligations to ensure equity and consistency.

4.3 Managers have a responsibility to follow this policy and to act on concerns or issues raised in a sympathetic, sensitive and supportive manner.

4.4 Human Resources are responsible for the provision of advice and/or support to managers and employees in relation to the application of this policy.

4.5 Managers and employees have a responsibility to familiarise themselves and act in accordance with this policy.

5.1 PROCESS

5.2 *Communication and Consultation*

5.2.1 Effective communication and consultation mechanisms will be developed according to the nature of the proposed change. These may include a combination of individual or group briefings depending on the size and scope of the change to be managed.

5.2.2 The CCG will inform and consult with recognised trade unions, in advance of formal discussions with staff unless where in an exceptional circumstance it is not possible.

5.2.3 Where appropriate, a formal consultation document to support the change will be developed. During the consultation period staff will be given every opportunity to comment on the proposals. Staff who are absent from work, such as those on maternity, long term sick leave or secondments will also be included with the consultation. Arrangements should be made to respond to staff feedback and to modify structures on the basis of such feedback where it is considered appropriate sharing the modified documents as a result of consultation with staff.

5.3 *Recruitment and Selection*

5.3.1 Recruitment to posts will follow the close of the consultation process.

5.3.2 A matching process will be used to ascertain which staff are eligible to apply for roles in the new structure. If there is a national process in place at the time of the change, this will be used as the basis for matching posts.

5.3.3 The matching process will compare a person's substantive position with one or more in the new structure.

5.3.4 Staff who are absent from work, such as those on maternity, long term sick leave will be included in the matching process.

5.3.5 Fixed term staff who are covering a position usually filled by an absent member of staff will not be eligible to be part of the matching process, however, members of staff on fixed term contract who are covering a vacant but substantive position will be eligible.

5.3.6 Once the matching process is complete then the following stages will be applied:

5.3.7 Stage 1: Slotted in

Slotting in may apply where the duties and accountabilities of the post are not significantly reorganised and are substantially the same (unless a national process is in operation which differs) e.g.

- No other person from within the CCG can claim they should be slotted in
- 70% of the duties outlined in the job description remain the same
- The pay band does not change

Staff will be notified of the outcome, including any right of appeal.

5.3.8 Stage 2: Pooling

Pooling will take place where there is more than one person who matches the job criteria in line with stage 1 above.

All staff matched against the role will be placed in a pool and a competitive selection process will take place.

In line with best practice, the interview and selection process will be based on the job description and person specification for the role, supported by a robust scoring system.

Staff will be notified of the outcome, including any right of appeal.

5.3.9 Stage 3: Open Competition

If no one from stage 1 or 2 is appointable following resolution of any appeals; the post will be open to all other CCG employees. At this stage, if it is considered that the skills and experience do not exist within the CCG, the post would be advertised external to the organisation.

5.4 Redeployment

5.4.1 Staff who have not been appointed into a post may then be placed at risk of redundancy. It is the responsibility of the manager to notify individuals of this and to invite them to an initial meeting with their line manager to discuss their personal circumstances and any process for further job matching and/or suitable alternative employment. It may be appropriate for Human Resources and TU Representative to attend this meeting. The outcome will be confirmed in writing.

5.4.2 All reasonable steps will be taken at this stage to avoid redundancies in order to ensure that business critical skills and experience are not lost.

5.4.3 Suitable Alternative Employment

Suitable Alternative Employment, (in accordance with the Employment Rights Act), takes into account:

- Current band and salary (Suitable alternative could include a band lower than the substantive post, with arrangements for pay protection)
- Reporting line and line management responsibilities
- Nature of work and job responsibilities
- Knowledge, skills and experience
- Location
- Personal circumstances
- Status

Some degree of flexibility is expected on the part of both the employee and the CCG and it is important that each case is looked at on its own merits.

Where there is more than one person for a role that is considered Suitable Alternative Employment, a competitive process eg interview, will be applied.

If an individual does not wish to accept an alternative post, it must be with good reason. If a fair assessment has taken place and the role is deemed a suitable alternative and the individual chooses not to accept the position, this may be classed as a resignation not a redundancy.

5.4.4 Trial Periods

If a suitable alternative position is found, a trial period of up to 4 weeks before making a final decision may be required. This would allow both the member of staff and the CCG to assess the suitability of the post as suitable alternative employment. Training and support may be provided where this has been identified as a requirement. There may be an option to extend the trial period beyond 4 weeks if deemed necessary for the role. All parties should note that if a trial period is extended beyond 4 weeks then the individual may lose the right to a redundancy payment unless this extension is necessary for retraining for employment in the new job.

5.4.5 Protection of salary

Where a new post is offered as suitable alternative employment which would result in a loss of earning due to a lower band, the following protection arrangements will apply for staff: Less than 12 months services – No pay protection

For each completed year of service in the Pay Band – Protection for 1 year up to a maximum of 5 years

Protection will be afforded on basic pay or salary on a mark time basis, until the earnings in the new post over take the protected rate.

5.4.6 Protection of Travel Expenses

Employees, who are required to change their base as a result of organisational change, may be reimbursed their extra daily travelling

expenses as per the nationally agreed Agenda for Change terms and conditions, ie Reserve Rate Mileage (previously Excess Mileage).

5.4 TUPE

TUPE applies where work is being transferred to another organisation and the members of staff undertaking the work also transfer.

Where the CCG is considering this, consultation with staff will take place and staff would be advised of the reasons for the transfer and timescales.

All arrangements under the TUPE legislation ie protection of terms and conditions, pension scheme membership etc would be discussed with all staff involved.

5.5 Redundancy

5.5.1 Whilst the CCG is committed to avoiding compulsory redundancies as far as possible, this may become necessary in certain circumstances. Every effort will be made to help the staff member secure suitable alternative employment, including where possible, waiving or reducing notice periods.

5.5.2 To avoid compulsory redundancies, the CCG may consider using a voluntary redundancy scheme. In such cases full consultation will take place and criteria will be in place for those being eligible to apply. Application for voluntary redundancy does not guarantee that it will be approved, even when expressions of interests have been invited.

5.5.3 Staff will be supported throughout their notice period, ensuring they are best placed for future opportunities. In some circumstances, it may be possible for an earlier release than the notice period, which may require an employee to waive their right to the full notice period.

5.5.4 Redundancy entitlements will be made in accordance with contractual entitlements and national Agenda for Change Terms and Conditions in place at the time of the redundancy

5.6 Appeals

5.6.1 An employee, who is dissatisfied with an offer of redeployment or selection for redundancy, or with any other aspect of the implementation of this policy, will have a single stage right of appeal, normally to the next level of management.

5.6.2 The employee must stipulate their full grounds of appeal in writing, which should be one or more of the following:

- The detrimental impact of the change on the individual
- Failure to follow procedure

It should be noted that it is not sufficient merely to disagree with the change itself. The outcome of the appeal will normally be provided within one week.

6. REVIEW AND REVISION

The policy will be reviewed periodically by the HR team in conjunction with operational managers at the CCG and Trade Union representatives. Where review is necessary due to legislative change, this will happen immediately.

Appendix 1

Equality Impact Assessment



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