Organisational Change Policy

**South Oxfordshire and Vale of White Horse District Councils**



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# Change Record­­

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# Introduction

## Purpose

This document outlines the councils’ policy and procedure for dealing with organisational change including arrangements for re-deployment in the event of a redundancy situation.

## Scope

This policy applies to all employees with the exception of the chief executive, deputy chief executives, heads of service, casual or seasonal employees, or employees on a fixed-term contract of less than three months.

The councils reserve the right to revise, withdraw or replace policies at any time and to introduce new policies from time to time to reflect the changing needs of the councils.

This policy document supersedes any existing or alternative policies, agreements or arrangements relating to the organisational change at the councils.

When implementing any organisational change reasonable adjustments relating to any disability that is declared, or known to exist, must be considered and made for the relevant employee.

## Contractual Status

This policy does not form part of your contract of employment. The councils are entitled to introduce minor and non-fundamental changes to this policy by notifying you of these changes in writing. The councils will consult all employees on any major changes to the policy but can change the policy without needed consent when it has consulted.

* 1. Relevant legislation

Equality Act 2010

Employment Rights Act 1996

Trade Unions & Labour Relations (Consolidation) Act 1992

Data Protection Act 2018

## Alternative formats

Please do not hesitate to contact a member of the Strategic HR Team if you would like this policy in an alternative format, via: hradminandpayroll@southandvale.gov.uk

# Policy

## Overview

The councils recognise that we have a duty to deliver services in the most cost-effective way possible and need to remain responsive and flexible in the way services are organised. Where this results in a need to make changes to our organisational structures, working practices and staffing demands, the councils will do so in a way that is fair, consistent, and transparent following ACAS (The Advisory, Conciliation and Arbitration Service) guidance

Organisational change may impact on individuals or teams in several ways:

* the removal of existing posts
* the introduction of new posts
* significantly changed duties or responsibilities and/or conditions of service
* significantly changed existing internal work organisation, accountability or reporting arrangements or service structure.
* the introduction of significant new technology, management systems etc
* the permanent transfer of employees to another organisation**,** covered by TUPE legislation.

The councils will seek to minimise the need to make employees redundant by careful management and planning of services. Where redundancies are proposed the councils will consult with UNISON and employees who may be impacted by the proposals. For further information see the councils’ Redundancy Policy.

## Aims and Objectives

The aims and objectives of this policy and the supporting procedures explain the principles of effective organisational change and provide tools and guidance to ensure change is undertaken and embedded successfully. Managed effectively organisational change will:

* follow a fair process
* minimise any concerns experienced by those affected by the changes
* provide clear communication and rationale detailing the change
* include meaningful consultation with the appropriate employees, UNISON, and other relevant stakeholders in the event of major change
* communicate a clear timescale for the organisational change programme and ensure that the process is clear and understood by all relevant parties
* actively encourage employee engagement
* be consistent and maintain transparency

The term ‘organisational change’ encompasses a wide range of circumstances including changes to individual positions, reorganising a service’s staffing structure, reductions in staffing numbers and the closure or merger of services. Organisational change can range from a council wide programme to a review of the way a service is delivered or structured.

## Planning for organisational change

When considering an organisational change, a methodical approach will be taken to reviewing the service requirements and to planning for the organisational change programme. Managers should discuss any proposals with Strategic HR, who will consult with UNISON to ensure clarity on the purpose, scope, and impact of any organisational change programme.

The time required to progress proposed changes will vary depending on whether the proposed changes are minor or major (see sections 3 and 4 below). Managers should ensure they allow adequate time and resource to implement changes and factor this into any proposed implementation dates.

Key elements to consider as part of the planning exercise include:

* What are you hoping to achieve by the proposed changes?
* Is this the right approach?
* Have other options been considered? If so, what were they and what was the outcome?
* How does this fit with strategic direction of the service area and the councils?
* Who would be directly or indirectly affected by the proposed changes?
* How will the impact of a period of uncertainty on our customers and communities be minimised?
* How can we ensure employees and others affected are informed and have the opportunity to be involved in the organisational change programme?
* Should other areas and external parties such as clients and partners be involved?
* How and when will you consult meaningfully with the recognised trade union?

Please refer to appendix 1 for a change management planning template.

## Roles and Responsibilities

**Persons responsible for the proposed change**

Are responsible for initiating, planning, consulting with key stakeholders and employees and implementing organisational change. They must also consider the implications of proposals on service delivery and to take the necessary steps to ensure continuity of service after reorganisation.

**Employees**

To consider the implications of the proposals for themselves as individuals and in terms of service delivery and to make comments, ask questions and suggest alternative options as appropriate.

**UNISON**

Managers need to consult with Strategic HR and there will be genuine, meaningful, and timely consultation with UNISON, regarding all changes within the scope of this policy. UNISON will provide advice and support to their members.

**Strategic HR Team**

Responsible for ensuring that the Policy and Procedure is applied consistently and fairly across the councils, whilst working collaboratively throughout the change process.

**Heads of Service (HOS)**

Heads of Service are responsible for the effective implementation of this policy within their service areas.

## Approval

The person responsible for the proposed change should work with their Strategic HR Advisor to complete the organisational change proposal. This will need to be reviewed and approved by the Strategic HR Business Partner or People and Culture Manager, and the appropriate Head of Service before submitting to SMT for review in order for the Head of Paid Service to approve.

SMT will only consider a submission when the full Organisational Change Proposal has been presented.

# Minor Change

Minor changes are those which form part of day-to-day management and do not materially affect an employee’s terms and conditions. Examples include (but are not limited to) a change of job title, minor amendments to the job profile, a change of line management or change of title of the department, service, or team.

To adapt to changing requirements, it is likely that from time to time, the councils will need to make changes to roles, responsibilities and/or working practices. Employees are expected to accept reasonable changes appropriate to the level of their post. Where changes are required, the reasons for these will be discussed with employees and they will be given the opportunity to state their views and suggest any alternative solutions.

Affected employees will be given reasonable notice of the implementation of any change and supported, as far as practical, to adapt to new ways of working.

Managers should carefully consider the impact of minor changes on employees e.g., well-being, caring responsibilities and on their learning and development needs and seek advice from the Strategic HR team as necessary. In addition to the above, managers should consider all health and safety implications and ensure all systems and processes including job specific training, information and supervision is adequately provided.

Please see [appendix 2](#_Appendix_2_–) for further guidance and principles in relation to managing change.

# Major change

Examples of major change include department, service or team restructures, changes to terms and conditions of employment (which may include relocating employees) and significant changes to working practices. All these changes, which may represent a substantial change to an employee’s terms and conditions or an increase or reduction in work, necessitate formal consultation. If a major change is planned the following steps should be followed:

* cost analysis
* engagement and communication
* planning
* writing the action plan
* formal consultation
* consideration of counter proposals and response to suggestions by staff and UNISON
* implementation
* seeking to avoid or minimise redundancies where applicable
* review

## Filling posts in a new structure

As soon as possible after a formal decision to create new posts or change posts is taken the manager will identify which of the following applies to each employee in the team:

* the post moves unchanged to a different team or service
* the post has changed but not substantially
* the post has changed substantially, and the post holder requests to be redeployed into a new post
* the post has changed substantially, and the post holder does not request to be redeployed into a new post

Depending on the circumstances of each situation, Strategic HR and the manager will seek to minimise compulsory redundancy where possible.

## Assimilation

Employees may be assimilated where a new post is substantially the same as their current post and where there is no other employee at risk who could be regarded as a suitable candidate. Ordinarily this will involve the employee being assimilated into a post on the same grade. On occasions assimilation may occur to a post one grade higher or lower (and if the salary is lower, this would be protected for 18 months – [see section 4.7](#_Salary_protection)) Posts more than one grade higher or lower will not be available for assimilation and will be dealt with under the redeployment process.

If there are more employees than suitable posts in a new structure and the manager, in consultation with Strategic HR, feels that more than one employee at risk of redundancy could be assimilated into a post, these would be ring-fenced for a recruitment selection process.

Employees assimilated into a new post will receive this in writing from the Strategic HR team and any salary protection will commence from the date they start in the new post. During the period of salary protection, if in the event the member of staff is successfully recruited into another role of their own accord within the councils, the salary protection will no longer apply. In the event that an employee is recruited into a new role, but the salary is less that the protected amount, then pay protection will be honoured for the original period of pay protection.

## Redeployment

Redeployment may be offered in the event that an employee’s post ceases to exist or changes substantially and a suitable alternative role is identified. Employees securing posts through this process will be consulted with and receive written confirmation.

If an employee is not successful in being redeployed into a new post they will be given written notice of redundancy should the consultation not identify a suitable alternative role. Where applicable, between the date of this written notice and their last day of employment the councils will continue to consider suitable alternative employment and the employee will be notified of vacancies in advance of these being advertised to other employees. As part of the consultation process, the employee will be asked if they are interested in the vacancy and will need to confirm their interest by submitting an expression of interest within 3 working days. The employee will be entitled to take time within working hours to complete their expression of interest, to enable them to apply for any vacancies in advance of these being advertised to other employees not at risk of redundancy or being advertised externally. Please see the Redundancy Policy for further information.

If redeployment to another post is not an option, the employee will be given written notice of redundancy. Between the date of this written notice and their last day of employment the employee will be able to apply for any vacancies and be given priority status alongside anyone else who is also at risk of redundancy. Once notice has been served, the notice period will not be amended pending outcome of an internal interview process. Please see the Redundancy Policy for further information.

If suitable alternative employment is identified, the employee will be assimilated or redeployed, the consultation process will cease and the employee will no longer be at risk of redundancy. If the employee then choses to leave the role or councils then no redundancy payment is applicable and contractual notice period will be required.

## Supernumerary posts

In exceptional circumstances consideration will be given to redeployment into a supernumerary position where a suitable vacancy does not exist but can be anticipated within the following six months.

During any supernumerary period, the affected employee will carry out such roles the councils deem appropriate, whilst taking account of their skills and experience.

In the event that the anticipated supernumerary period doesn’t continue or ends early, then the process will revert back to at risk and consultation processes being applied.

## Trial periods

Trial periods do not apply where the new role is deemed as reasonable alternative employment unless agreed by exception by the Head of Service in consultation with Strategic HR.

The trial period will be used to give the manager time to train the employee in obtaining the skills and knowledge to develop into the post.

Trial periods will normally be for a minimum of 4 weeks as per statutory requirements and up to a maximum of 12 weeks. The trial period will be confirmed by the line manager in consultation with the HR representative involved in the consultation and will be designed to allow time to retrain the employee for the new work and to assess their suitability. Trial periods will be communicated in writing and will specify the date that the trial period ends and the terms and conditions of employment that will apply after that date.

Employees will be fully supported by their new line manager in their new roles during the trial period. This will include the development of goals and identification of training needs within the first week. Managers will conduct regular reviews during the trial period (at least one per month).

At any point during the trial period, or upon its completion, either party may conclude that the trial has been unsuccessful which will result in a dismissal on the grounds of redundancy. Therefore, employees who leave their work with good reason or who are dismissed during the trial period (for example because they are unable to carry out the duties of the new work or the training) retain their rights to redundancy pay.

If, however, the employee ceases to work or continue their training without adequate reason or the councils dismiss them fairly for reasons unconnected with the changed terms of employment (such as gross misconduct) the employee will lose their right to redundancy compensation.

## Vacant Posts

For the avoidance of doubt the definition of “at risk” is an employee of the councils who has been formally put at risk through a consultation process or who has been served notice in relation to the end of their fixed term contract.

Vacant posts will be discussed with employees during their consultation meetings. The employee may apply for a vacancy by completing and submitting an expression of interest in order to be considered for the role. The hiring manager will be informed of any applications from staff who are at risk of redundancy and must:

* Interview any “at risk” candidates who meet the essential criteria which will be determined by the hiring manager prior to candidate selection
* Appoint the “at risk” staff member if they meet the essential criteria during the interview
* A member of the Strategic HR team will participate in all short-listing arrangements and interview processes where an application has been made from a member of staff who is “at risk”

If the “at risk” member of staff is not deemed suitable for the position this must be agreed between the hiring manager and the Strategic HR Advisor and be clearly documented. Thorough feedback will be shared with the employee detailing the reasons as to why they were not deemed suitable for the role.

The date an employee transfers posts between teams will be subject to negotiation between the respective managers and may result in a temporary appointment being made in either service area to cover the vacant position.

## Salary protection

When posts are downgraded or employees are redeployed into lower grade posts, the employee will receive salary protection for 18 months from the date of starting in that post, as long as they remain in that post.

Salary at that time of redeployment will be protected and the employee will not receive pay increments until such time that the salary for the role is equal to, or more than, their protected salary. Any periods of salary protection are inclusive of any periods of contractual notice which may apply.

After 18 months of salary protection the employee will be placed at the top of the correct grade for the post.

# Equalities

## Equality Statement

We aspire to create an environment where everybody belongs and has a voice that will be heard. We will embrace our differences, the unique talents, beliefs, backgrounds, and abilities of all our staff and residents. Together we will make a positive difference.

In the event of organisational change, the manager will work alongside Strategic HR and the Equalities Officer to carry out an Equality Impact Assessment.

## Appendix 1 – Change process planning template

The starting point and focus of successful change planning is having a clear vision about what the scope and impacts of the future changed state will be. If the change vision is not clear or shared, commitment is unlikely, and change efforts will be short-lived. Further, without a clear vision, change efforts can easily dissolve into a list of confusing tasks, directives and sometimes incompatible projects that can take the organisation in the wrong direction or nowhere at all.

The vision should provide the direction, which ties everything together, showing where individual projects and initiatives fit into the big picture. Please see below which will help teams plan organisational change.

|  |  |
| --- | --- |
| **Name of project:** |  |
| **Project lead:** |  |
| **Start date:** |  |
| **Target end date:** |  |
| **The solution:** |
| This section should provide a detailed description of what the change project will deliver and how this will be delivered, outlining the key elements of the change project. |
| **Tasks:** |
| This section should identify the tasks that need to be completed to achieve the change. |
| **Timescales:** |
| This section should set out realistic timescales for the different stages of implementation of the change and communication about the change. |
| **Costs:** |
| This section should calculate the cost of each aspect of the change project. The change team should involve the finance team in creating a costs model – essentially a budget – for the planned change. |
| **Technology:** |
| This section should identify any changes in technology. |
| **Human impact:** |
| This section should identify the potential impact of the change on the workforce, for example redundancies or a change in job roles or work processes and take this into account in the communications about the change. |
| **Equalities impact:** |
| In the event of organisational change, the change manager will work alongside Strategic HR and the Equalities Officer to carry out an Equality Impact Assessment. |
| **Health & Safety impact:** |
| For example, this should identify the potential H&S impact e.g training, information, and supervision. |
| **Change Team:** |
| This section should identify the people who will be involved in delivering the change project and their role.   |
| **Key deliverables and milestones:** |
| This section should outline the key milestones and key deliverables (items that will be delivered as part of the project) that are critical to the success of the project. |
| **Risks and dependencies:** |
| This section should outline the key risks and dependencies (other processes, systems and departments that could be affected by the change) that may impact the delivery of the change project. |
| **Legal / finance / environmental implications:** |
| If there are any legal, financial, or environmental implication please detail here. |
| **Governance:** |
| This section should cover the governance of the change project, i.e., how it will be overseen to track and review progress against the project plan. It should set out the action that should be taken if the change project falls behind schedule or goes beyond budget, or if there is a deviation from the original plan, for example something comes into scope and changes the plan and cost model. |
| Approval:  |
| Head of Service: |
| SMT: |
| Member / Portfolio approval required (If required): |

## Appendix 2 – Principles for change

Change processes, when managed well can enhance employee engagement and job satisfaction, therefore it is important to carefully plan and consider the approach to ensure staff are fully informed and continue to feel valued throughout.

The following principles should be discussed and agreed at planning stage which will assist in ensuring change is successful and staff remain engaged.

* Complete change process planning template (as per appendix 1)
* Work with Strategic HR to develop a list of staff who are impacted by the change, and how the change may affect them
* If new jobs are being created, develop job descriptions, and send to job evaluation team so that grades of posts are confirmed prior to consultation
* Work with Strategic HR & finance to understand the financial implications of the proposed changes
* Submit planning detail to Head of Service and SMT for approval
* Discuss and consult with UNISON regarding the proposed change
* Produce a Consultation document/action plan and create FAQs where applicable
* Complete an Equality Impact Assessment form
* Inform staff and teams of the proposed changes and how this will impact them including details of the change process. If staff are at risk of redundancy timetable the meetings and messages. Staff at risk should be told individually and before the wider team discussion
* Confirm details of the proposed changes in writing to those affected by the changes
* Arrange group meetings to explain proposal and begin formal consultation period
* Arrange 1-2-1 consultation meetings with employees directly affected
* Allow time for team members to ask questions and offer suggestions
* Be available to answer any questions or queries throughout consultation period
* Change Team to consider any suggestions or counter proposals that may have been proposed by affected team members
* Change Team to inform Head of Service / SMT if there are any amendments to the initial proposal and seek approval to change if required
* Confirm final decision to affected staff and confirm in writing