

SINGLE MEMBER DECISION

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Councillor Steve Curran, Lead Member for Education and Housing
Date 27 June 2012

Appointments Following Reorganisation

Report by: Anne-Marie Scott, Assistant Director Transformation & HR

Summary

Changes to the Appointments Following Reorganisation Policy are recommended to simplify and speed up the procedure for appointment following reorganisation in readiness for major departmental restructurings across the Council. In addition the procedure for those on JNC terms and conditions has been removed from this policy and will be addressed in a separate policy.

1.0 RECOMMENDATION

- 1.1 That approval is given for the revised Appointments Following Reorganisation Policy (AFRP), attached at Appendix A.

2. BACKGROUND

- 2.1 AFRP was last reviewed in June 2011 as part of the Pay & Conditions Workstream which considered a range of options for making savings as part of the Savings and Transformation programme for the 2011/12 budget.
- 2.2 As a result the AFRP was amended in three main areas:
 - provide clarity on slotting into higher grades
 - extending the scope of the policy to all employees including those on JNC terms and conditions
 - JNC posts to be advertised concurrently i.e. internally and externally following AFR.
- 2.3 It is recognised that the procedure continues to be onerous, both for employees and managers. This has been highlighted by recent uses of the policy in restructurings across the organisation. Approval is sought to introduce the following changes aimed at making the procedure less resource intensive and reduce the level of anxiety for staff undergoing the process:
 - Introduction of a new stage 1 consultation; at which point headline changes will be announced

- The stage 1 consultation will enable early identification of staff whose posts are “fundamentally unchanged”, thereby allowing slotting in ahead of stage 2 consultation, reducing anxiety for these staff much earlier in the process than at present
 - Following the Stage 2 Consultation, the focus for management will be those posts which are fundamentally changed and consequently subject to a selection process
 - The changes also incorporate an appeals procedure to ensure that staff have an effective route to challenge decisions they believe are incorrect
- 2.4 These changes would be of particular value in the forthcoming restructures for the single corporate teams and HMG level, when a large number of employees would be within scope but ultimately relatively few would be at risk.
- 2.5 For posts, at JNC level, a separate AFR policy will be produced and consultation will take place with the appropriate staff and their representatives. The on-going senior management reorganisation will be completed in accordance with the August 2011 AFRP.
- 2.6 Consultation has taken place with employees’ representatives. These proposals were first shared with the Staff Side at an Employee Relations meeting on 22 March 2012. This was followed by a consultation meeting between the Assistant Director Transformation & HR and the LGS Staff Side.
- 2.7 The Staff Side welcomed the move to separate the arrangements for Chief Officer and Assistant Directors from this policy. The comments of the Staff Side have been incorporated in the revised Policy.

3. COMMENTS OF THE CHIEF FINANCE OFFICER

- 3.1 There are no direct financial implications arising from this report, any savings recognised as part of the Savings & Transformation programme is encapsulated within the reorganisation in 1.1.

4. COMMENTS OF THE ASSISTANT DIRECTOR CORPORATE GOVERNANCE

- 4.1 The Assistant Director Corporate Governance support the recommendations.

5. EQUALITIES IMPACT

- 5.1 The Council has to give due regard to its Equalities Duties and in particular with respect to its duties arising pursuant to the Equality Act 2010.
- 5.2 The policy specifically engages Section 39, Part 5 of the Equality Act 2010, which requires Employers not to discriminate against or victimise an employee:
- as to the terms of employment;
 - in the way they make access to opportunities for promotion, transfer or training or for receiving any other benefit, facility or service;
 - by dismissing the employee; or subjecting them to any other detriment;

- 5.3 An assessment was undertaken to determine the nature of the relevance to each equality protected characteristics. The assessment concluded that the following equalities protected characteristics disability, pregnancy and maternity, religion or belief and sex are engaged by this policy. The procedures reflect and respond to the issues raised as part of the assessment of the equality duty.
- 5.4 At this stage it is not possible to assess what the broader impact of the AFRP will be on the other specific equalities protected characteristics: age, sexual orientation; marriage and civil partnership and race because it is a high level plan designed to minimise redundancies and reduce unnecessary uncertainty for staff affected by the re-organisation. It is a policy designed to provide a framework for the management of organisational changes for staff affected by restructure. The aim is to avoid/ mitigate the need for compulsory redundancies, offer appropriate support to affected employees and seek suitable alternative employment for employees provisionally at risk of redundancy. It will also be supported by a number of linked documents such as detailed policies relating to Employment, Voluntary Redundancy and Early Retirement policies all of which have given due regard to the equality duty.
- 5.5 There may be a cumulative impact on workforce diversity by the departure of staff not slotted into posts following re-organisation. However, information will only be available in general terms and it will not be possible to drill down to the specific target groups affected to obtain an in-depth analysis. This can only be assessed after the implementation of this policy and after the end of the financial year when annual workforce profile is monitored and the employment report is published as part of the Equality duty. The council has put systems in place, to monitor the impact of this policy and the restructure on workforce

6. SIGNATURE AND AGREEMENT

- 6.1 Using the authority delegated to me as the relevant Cabinet Member, I agree to the recommendation

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Councillor Steve Curran, Lead Member for Education and Housing

Dated:

Background Papers:
EIA
This report has been considered by the Corporate Leadership Team
31 May 2012
This report is relevant to the following wards/areas: Not applicable