# EAST DUNBARTONSHIRE COUNCIL

# **Principles of Change Strategy**

**2013** 

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#### **SECTION 1**

#### 1.1 Introduction and Corporate Context

The Principles of Change strategy outlines our approach to organisational planning and seeks to clarify principles that will be applied to the change process in the wider organisational context and in individual project based change implementation.

The principles within Organisational Planning are designed to ensure that the Council's deployment of resources is:

- Aligned to our LOIP priorities
- Consistent with the Scottish Government's response to public sector reform prepared in response to the Christie Commission findings on the Future Delivery of Public Services
- Structured to secure maximum efficiencies and revenue savings

Corporate commitments which must ensure that we

- Maximise to the use of "Click-Call-Come in"
- Maximise the migration of internal shared services
- Are committed to the delivery or enablement of quality value for money services
- Maximise the development and use of "SMART working"
- Maximise development and use of technology
- Integrate Health & Care: plan for older people's services only

The Council's revised Principles of Change Strategy is designed to support the implementation of organisational change, specifically relating to supporting our employees through the change process.

#### 1.2 Scope

This framework and its full content apply to all employees of East Dunbartonshire Council excluding Teachers. Existing S/LNCT agreed procedures will continue to apply in relation to managing change within the Teachers and "McCrone" work groups.

The Principles of Change Strategy 2013 supersedes all previous Principles of Change documents and Resourcing the New Structure 2009.

#### 1.3 Partnership At Work & Consultation

Through the development of change to Operating Models and/or Service delivery structures, discussions will take place through the Strategic Review Group with our trades union colleagues, in accordance with our commitment to Partnership At Work.

Ongoing consultation and open dialogue with the trades unions will be integral to the change process both in development and implementation stages through our established forums. It is recognised that whilst this will be a difficult and sensitive process we will be better positioned to secure positive outcomes for the Council and its employees with the support of the trades unions.

In accordance with our Partnership At Work approach, we will work to ensure that:

- Meaningful consultation and dialogue takes place corporately and locally;
- Timescales to effect satisfactory outcomes (including statutory time scales) are agreed wherever possible;

- Agreed joint plans of action are developed to ensure that the impact of change is managed with the minimum amount of disruption;
- Through the Strategic Review Group and the Partnership At Work Forum, the local management and trades unions joint working groups are engaged.

#### 1.4 Aim & Key Principles

The aim of this framework is to develop and integrate policies, processes and practices to enable the organisation to successfully manage change and maximise our ability to mitigate any adverse impact of that change on our employees and the organisation as a whole. This framework is based on the following key principles:

- The requirement to manage change in a way that minimises potential disruption to employees and the organisation;
- In accordance with our commitment to partnership working with our trades union colleagues, robust early meaningful consultation and communication will be central to all related policies and processes;
- The need to retain a balanced workforce appropriate to the Council's Local Outcome Improvement Plan (LOIP) priorities and needs for the future;
- All appropriate solutions must be developed and explored in order to mitigate any adverse impact of change and in the first instance everything will be done to ensure that a voluntary approach is adopted to the management of change and the restructuring of services;
- Timescales will be agreed in order to maximise the opportunities available to individual employees at the time of organisational change;
- All processes and procedures will be based on fairness and equality, and fair selection criteria will be agreed and applied in line with any redundancy situation.

#### 1.5 Employment Security

Maximising employment security, promotion of equality, consistency and fairness in handling situations that involve organisational change is a critical aspect of this strategy.

In planning for and implementing changes in service provision, the aim is to minimise potential redundancy situations by fully exploring redeployment and retraining opportunities. In all cases, employees will be dealt with sensitively and in a consistent and fair manner, taking account of both organisational and personal circumstances.

At all times East Dunbartonshire Council will retain a balanced and skilled workforce and reserves the right to retain people with the requisite skills, knowledge and experience. Where there is a need to reduce the number of people employed, the Council will endeavour to achieve this through redeployment, retraining and voluntary severance/early retirement and will strive to avoid any redundancy.

Redundancy is strongly viewed as the "last resort" and as such, the Council has developed a comprehensive process to ensure that only when all else fails will redundancy be considered.

We will endeavour to maximise employment security and in return employees are committed to:

- Learning and Development the Council recognises that a competent and well-trained workforce is central to the delivery of improvement plans; ongoing employee development is essential and all employees will be expected to positively participate in relevant training & development programmes.
- *Flexibility & Legal Constraints* employees are expected to be flexible across a range of relevant skills, subject to appropriate training and health and safety considerations
- **Continuous Improvement** employees are committed to continuous improvement.

Compulsory redundancy is strongly viewed as the "last resort" and as such, the Council has developed a comprehensive process to ensure that only when all else fails will compulsory redundancy be considered.

#### 1.6 Consultation & Dialogue

In accordance with our Partnership approach, East Dunbartonshire Council gives a clear commitment to its employees and their representatives that it will endeavour to advise of any developments at the earliest possible opportunity.

The Council believes that early and meaningful consultation with employees and their trade union representatives is essential to the successful implementation of change initiatives, as is consistency of approach to common issues. The consultation and communication process will facilitate the implementation of change through local discussion and resolution of issues at a local level and directly with those affected by the change. By working jointly through this process with employees and their trade union representatives, it is anticipated that change can be achieved.

The best way to communicate change depends to a large extent on the mix of reasons for that change – whether it is for example structural changes, policy changes or changes in customer demands. The approach taken should be influenced by the following factors: -

- Type of change;
- Degree of urgency to make the change happen;
- Speed of change required;
- Reactions to change.

In accordance with our Partnership At Work approach, we will work to ensure wherever possible:

- Meaningful consultation and dialogue;
- Mutually agreed time scales in order to affect the satisfactory outcome including statutory time scales;
- Agreed joint plans of action to ensure that the impact of change is managed with the minimum amount of disruption;
- Establish the local management and trades unions joint working groups through the Joint Negotiating Group.

Meaningful consultation and dialogue will begin as soon as it becomes known that there is a possible problem in terms of the future security of posts in the organisation.

In a situation where more than 100 employees are at risk of redundancy, then the consultative period will begin as soon as a potential situation arises with a minimum of 45 days before any potential dismissal takes effect.

In circumstances where there are less than 100 employees at risk of a potential redundancy then the consultation period will start as soon as a potential situation arises with a minimum of 30 days before any potential dismissal occurs.

#### 1.7 Statutory Consultation & Notification

Within the scope of any change process, the potential implications of such a review, will consider whether all employees of East Dunbartonshire Council are potentially affected by this change which may result in redundancy. When appropriate, consultation will take place in advance with trades union representatives of the affected employees, and to notify the potential redundancies to the Redundancy Payments Service.

Appropriate HR1 form information will be submitted in accordance with the requirements to notify Redundancy Payments Service, this will be dependent on the potential implications of the particular change process.

#### **SECTION 2**

#### 2.1 Resourcing New Organisational Arrangements

One of the major activities required to successfully implement any new organisational arrangements is resourcing the new structure. This is a complex and sensitive undertaking – complex in that it will potentially involve all employees at every level across the Council and sensitive in light of the potential impact it may have on the lives and careers of those concerned.

It is imperative that all employees are familiar with what it means to them as individuals, particularly relating to their current role and future position. Equally, in matching people to new roles, it is vital that the process adopted is based on equality of treatment and is open to scrutiny. To ensure that the right people are appointed to the right role, a structured approach will be taken in the recruitment, selection and matching processes.

#### 2.2 Resourcing the New Structure

The opportunity must be taken, in resourcing the new structure, to develop the most effective organisation in terms of cost, use of resources and high calibre performance and delivery. Appointment decisions must be as objective as possible and whilst personal judgement is important, it should be applied to a clear analysis of an individual's skills and experience compared with the specified needs of a role. The over-riding factors should be the skills, competencies, experience and potential of the individual to do the role and to develop.

It is important that all individuals are treated consistently and feel that they have had the opportunity to demonstrate their abilities in a process that is objective and fair – the process must be transparent.

### 2.2 Matching & Selection Framework

Getting the resourcing "right" is critically important for the individual and for the effectiveness of the Council. The Council will operate within a common selection framework to ensure consistent application of a set of principles that managers, employees and trade union representatives can recognise as fair. In this way we will ensure that the decisions taken will optimise deployment of our existing people into the new organisational arrangements.

#### 2.2.1 Matching Process

The process of matching existing employees to roles within the new structure will be conducted as the first stage in this process. The following principles will apply:

- a. Matching people to roles within the new structures will be on the basis of role function that is, the core activities of the new role.
- b. Where only 1 person wholly or predominantly carries out the core activities of the new role that person will be automatically matched in to that new role.
- c. For the purposes of the matching process, "predominantly" is defined as at least 80% of the current activities performed matching to the new role requirements.
- d. If the number of people who wholly or predominantly carry out the core activities of the new role equals the number of people required within the new structure to perform that role, those individuals will be automatically matched in to those roles.
- e. Where more than 1 person wholly or predominantly carries out the core activities of the new role, but there is a requirement within the new structure for fewer people to perform that role, a structured process based on fair and objective matching criteria will be applied to the "matched group". The "matched group" is defined as those employees who wholly or predominantly carry out the core activities of the new role. As agreed by the trades unions, the "Matching Criteria Matrix" is defined in Figure (1) and this will be applied to determine which employee(s) will be matched to the role(s). Any employee within the "matched group" who is not subsequently matched to the role through this process will be displaced.
- f. The matching pool will include employees considered as fixed term who are currently in roles where there is no substantive post holder with substantive rights to the role in question. The exclusion of agency workers, casual and supply within the criteria for matching will remain unchanged.
- g. Where a new role is created within the revised structure, the role will be subject to an open recruitment & selection process available to all existing East Dunbartonshire Council employees (permanent & temporary) and agency workers\* in the first instance. Displaced employees will be given priority consideration for suitable alternative posts. If the role is not filled internally at that stage, the Council may seek to recruit externally.
- h. Particular consideration will be given around the requirements of the Council within Regulation 10 of the Maternity & Paternity Leave Regulations 1999 whereby suitable alternative vacancies must be offered to those who are on maternity leave following the matching process having been completed if they have not been matched to a role.

\* Any reference to 'Agency workers' throughout the document will be those who have acquired day 1 rights.

#### 2.2.2 Matching Appeal Process

Employees who feel that the "Matching Criteria Matrix" has been unfairly applied in their case will have the right to appeal.

- a. The appeal process will be to consider the reason(s) for the appeal by the employee, and to consider possible remedies.
- b. The employee should submit their reasons for appeal in writing to their Executive Officer/Service Manager within 5 working days of receiving notification of the matching outcome. The employee may attach any supporting documentation they believe is relevant.
- c. Employees have the right to be accompanied by their trade union representative or work colleague at the appeal meeting.
- d. The appeal meeting will be chaired by an appropriate manager as delegated by the Executive Officer/Service Manager with support from the HR Business Partner. A date for the appeal meeting will normally be confirmed in writing to the employee within 10 working days of receipt of the appeal submission.
- e. At the appeal meeting, the employee (or their representative) will be given the opportunity to present the key points relating to their reason for appeal. No new evidence may be presented at this time.
- f. Following consideration of the case, the appeal outcome will normally be confirmed in writing to the employee within 5 working days of the meeting.
- g. There will be no further right to appeal in this situation.

#### 2.2.3 Selection Principles

Having worked through the matching process, roles which remain "vacant" will be subject to an open recruitment & selection process available to all existing permanent and temporary East Dunbartonshire Council employees and any agency workers in post. Displaced employees will be given priority consideration for suitable alternative posts. The following principles will be adopted for all resourcing activity associated with new organisational arrangements: -

- a. Decisions about work and organisational design will precede discussion and decisions about individual appointments.
- b. Appointment decisions will be merit based.
- c. The selection process will be fully communicated to employees.
- d. Role profiles will be produced for positions to be filled in the new structure and will be available to employees.
- e. External recruitment will only be initiated where suitable internal candidates who meet the criteria for the role do not exist and this will only be progressed where all internal options have been explored.
- f. Interviews are one part of the overall selection process, adding to known experience and performance.
- g. Individuals will be given the opportunity for feedback during the selection process.

#### 2.2.4 Assimilation Principles

In accordance with the Council's Equal Pay Policy Statement and to ensure that the integrity of the Council's equality-based pay and grading structures is maintained there will be no compensation for loss of earnings as a result of an organisational change and/or redeployment.

Where an employee has a change in role as a consequence of a new or revised organisational structure or following redeployment to a suitable alternative role, the grade and salary scale for that new role will apply from the employee's effective date of transfer to the new role.

Assimilation (i.e. salary placement) within the new salary scale for the new role will be determined by the established principles of the appropriate pay and grading structure as outlined below:

#### **GUIDANCE POINT (1)**

#### Employees who have been matched to a new role within the Structure

- Direct matches can only be made if the employee satisfies the 'predominance test' and there is no contractual change from their current role to the new role.
- In other words, in terms of salary, there can be no change from their established grade to the indicative grade.
- Employees will assimilate across on their current spinal column point and salary.

#### **GUIDANCE POINT (2)**

#### Employees who have been offered to match to a higher graded new role within the Structure

- If an employee accepts an offer to match to a higher graded post, the assumption is that they have been performing at least 80% of the duties and responsibilities of the new role.
- As an organisation, we value the experience of employees and deem that if the employee has been performing at least 80% of the new role, they should not simply just be placed at the bottom point of the new grade.
- Therefore, they will be assimilated in accordance with their length of service in that post.
- The assimilation exercise will be carried out by the Organisational Transformation Service.
- The effective date of change is date of the match would be in accordance with commitments to be made through the Strategic Review Group.
- This principle applies to all employees who have been offered a match to a higher grade.

#### **GUIDANCE POINT (3)**

#### Employees who have been offered to match to a lower graded new role within the Structure

- If an employee accepts an offer to match to a lower graded post, the assumption is that they have been performing at least 80% of the duties and responsibilities of the new role.
- It is assumed that the employee has the skills, experience and capability to perform the full range of duties within the lower graded role.
- This is based on the fact that their current role was of a higher grade and therefore, more complex with more responsibility.
- Therefore, they will be assimilated to the top spinal column point of the lower indicative grade.
- The assimilation exercise will be carried out by the Organisational Transformation Service. The effective date of change would be in accordance with commitments made through the Strategic Review Group.
- This principle applies to all employees who have been offered a match to a lower grade.

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#### **GUIDANCE POINT (4)**

#### Employees who have been 'recruited' to a higher graded new role within the Structure

- If an employee applies for and accepts a higher graded role, the assumption is that this is a promotion for them.
- Therefore, the established assimilation principles will apply.
- The employee will normally be assimilated to the first spinal column point of the new grade.
- The recruiting manager should complete the HR2 form in line with these guidelines and send to the Employee Services for processing.
- The effective date of change is the date of appointment unless agreed otherwise through the Strategic Review Group.
- This principle applies to all employees who have been appointed to a higher grade.

#### **GUIDANCE POINT (5)**

#### Employees who have been 'recruited' to a lower graded new role within the Structure

- If an employee applies for and accepts an appointment to a lower graded post, it is likely that they are displaced and have limited options.
- It is assumed that the employee has the skills, experience and capability to perform the full range of duties within the lower graded role.
- This is based on the fact that their current role was of a higher grade and therefore, more complex with more responsibility.
- Therefore, they will be assimilated to the top spinal column point of the lower grade.
- The effective date of change will be date of appointment unless agreed otherwise through the Strategic Review Group.
- The assimilation exercise will be carried out by the Organisational Transformation Service.

#### **SECTION 3**

#### 3.1 Supporting Displaced Employees

The approach developed in relation to displaced employees has been designed to maximise job security and to promote equality, consistency and fairness in handling this sensitive situation. The aim is to minimise potential redundancy situations by fully exploring redeployment and retraining opportunities. In all cases, employees will be dealt with in a consistent and fair manner, taking account of both organisational and personal circumstances. The fundamental principles of the Council's Redeployment Policy form the basis of this approach:

- a) Where an individual is displaced from their current post due to the new organisational arrangements (i.e. the role is no longer required) or as a result of the selection process, every effort will be made to identify suitable alternative employment, in line with the Council's commitment to try to achieve change through voluntary means.
- b) Where an employee has been identified as displaced, an initial 1-to-1 meeting will be held with the line manager to discuss all associated issues, including personal preferences and potential options such as redeployment and retraining opportunities, special projects and if appropriate voluntary release. The employee may if they wish ask that their trade union representative or a work colleague attends these 1-to-1 meetings.
- c) At this meeting a "personal profile" will be developed to ensure that accurate and appropriate information is gathered to allow issues to be progressed.

- d) In identifying a suitable alternative role, due consideration will be given to the skills, knowledge, experience, pay & grading; work location; working environment; hours of work and the career aspirations of the displaced employee, their personal circumstances, together with the needs of the Council.
- e) A support framework will be available to displaced employees to help them through this process and the subsequent period of transition. Support and advisory services will cover issues such as identifying training needs and retraining opportunities (such as CV preparation, interview skills, etc), securing new employment (whether it be within or outwith the Council), dealing with the effects of change on personal and home life, access to professional counselling and independent financial advice. Where appropriate, outplacement services will be available.
- f) These support and advisory services are offered on a voluntary basis and each person who chooses to use them will be treated individually and in confidence and will receive the support required to meet their own particular needs.
- g) Where the displaced employee does not accept the offer of suitable alternative employment, the terms of the Council's Redeployment Policy and as a last resort, the Redundancy Policy outlined within this strategy will be applied.
- Skills, knowledge and experience of displaced employees will be assessed to facilitate the development and delivery of any appropriate and available retraining programmes ensuring that displaced employees are provided with required skills.
- Displaced employees will, subject to availability, and following selection process transfer to alternative posts. If the post is considered to be suitable, a displaced employee will be offered an agreed 4-week trial period/secondment in an alternative post, which may be extended by agreement.
- j) Displaced employees will be expected to take ownership of their responsibilities to seek support and utilise services available to them.
- k) Employees who are displaced as a result of organisational change and have not been matched to a suitable alternative post will be entitled to and encouraged to take reasonable time off to look for other work or arrange training.
- If alternative posts are not available, consideration will be given to accepting requests for voluntary release from displaced employees or employees in other areas, providing posts become available for displaced employees.
- m) Employees who are displaced as a result of organisational change will not unreasonably reject any offer of a suitable alternative post.

#### 3.2 Trial Period

If an individual does not immediately meet the minimum standards of competence required for the new role, a rapid development programme may be considered, if both the manager and the employee agree that competence can be achieved in not more than 8 weeks. This programme will be linked to the employee's statutory right to a trial period (of not less than 4 weeks) in an alternative role.

The aim is to give the employee a chance to decide whether or not the new role is what they want, while at the same time, the Council can assess if the individual is suitable for that role. During the

trial period, constant review, communications and counselling will take place to support the individual. If at the end of the period the match is successful, the employee can then be redeployed on the agreed terms for that role.

Alternatively, if the match is not successful and following extensive dialogue to ensure that all options have been exhausted, the individual will reserve the right to a redundancy payment under the Council's Redundancy Policy.

#### 3.3 The Next Steps

Where all possibilities have been explored, there are potentially 4 outcomes:

- Both the individual and management agree that the trial role is a suitable alternative role and redeployment is the preferred option.
- The individual decides redeployment is preferred but no suitable alternative roles are available.
- The individual requests to leave the Council through voluntary release.
- The person decides that redeployment is the preferred option, but following a trial period, management assess that the person is unsuitable for that role.

The outcome will then determine the appropriate course of action to be taken:-

#### a. Redeployment

A suitable permanent role has been identified through a trial period and following mutual agreement, the person has accepted the terms and conditions for that role. In addition to administering all redeployment and earnings related policies, the relevant contractual requirements and training needs, Organisational Transformation will support and facilitate the manager and the employee to ensure the smooth transition to the new role.

#### b. Voluntary Severance

Having decided to apply for voluntary release, Organisational Transformation with support from the manager will guide the employee through the application process, the Policy & Resources Sub-Committee approval process and will handle all associated administration requirements. It should be noted that all applications for voluntary release are subject to Committee approval.

#### c. No Suitable Role or No Successful Match

In these situations, our aim is to achieve a mutual agreement with the individual concerned as to what options remain realistic. Where there are no further employment solutions within the Council and no agreement has been reached regarding voluntary release, the last resort would be severance.

The Council will strive to ensure that this outcome is handled compassionately and with the minimum distress to the person concerned.

#### SECTION 4 REDEPLOYMENT POLICY

#### 4.1 Introduction

The redeployment policy covering all employees (excluding Teachers) employed by East Dunbartonshire Council is intended to maximise the job security of employees and to promote equity, consistency and fairness in handling situations that involve organisational change.

In planning for and implementing changes in service provision, the aim is to minimise potential redundancy situations by fully exploring redeployment and retraining opportunities. In all cases, employees will be dealt with in a consistent and fair manner, taking account of both organisational and personal circumstances.

Redeployment may be necessary on account of changes to; strategic commitments and principles, working arrangements, organisational structure, workplace location, job requirements and employee resourcing levels. At all times East Dunbartonshire Council will seek to retain a balanced and skilled workforce and therefore reserves the right to retain employees with the requisite skills, knowledge and experience.

#### 4.2 Commitment to Existing Employees

East Dunbartonshire Council recognises that security of employment is an important issue for its employees and will seek to plan its activities in a way which meets our strategic principles and commitments including customer requirements and needs in terms of best value and:

- puts in place the numbers and categories of employees required to meet the needs of the organisation;
- has genuine concern for the employment security of individuals;
- maintains the commitment, motivation and morale of employees affected by change.

#### 4.3 Consultation

Full consultation on organisational changes that may result in redeployment situations will take place with employees and their representatives. Consultation will take place with employees and their representatives to outline and discuss a range of factors including:

- reasons for the change;
- timescales;
- number of employees affected;
- effects on salaries/conditions of employment;
- method of identifying displaced employees;
- redeployment opportunities.

Following consultation with trades union representatives, managers will outline and discuss the proposed changes with employees on a group and/or individual basis and as appropriate, trades union colleagues will be invited to attend all such meetings.

#### 4.4 Re-Assignment & Rapid Development

To enable the identification of a range of possible, but feasible options, the initial stages of the redeployment process will involve:

#### 4.4.1 Commitment to a Development Contract

The Council is committed to working with our employees to ensure that they have the maximum number of options available to them if they are displaced.

In return, the Council will ask for the individual's co-operation to ensure that retraining or reassignment has the highest possibility of success. This means that they must be committed to building new skills and take ownership of their own personal development.

#### 4.4.2 Competency Assessment

Anyone who wishes to express an interest in a particular role will be assessed to gauge how well their existing skills match those required for that job.

This can be done in a number of ways including on-the-job assessment, questionnaires on ability and potentially assessment centre techniques. The results of this assessment will then identify what course of action should be taken in terms of a rapid development programme and/or experiential secondment.

#### 4.4.3 Rapid Development & Trial Period

If an individual does not immediately meet the minimum standards of competence required for the new role, a rapid development programme may be considered as outlined in 3.1 above.

#### 4.5 Voluntary Release (Severance)

It is hoped that all actions concerning severance would initially be achieved on a voluntary basis to facilitate the change that the organisation requires. However, it is recognised that through the processes defined earlier, an employee facing change may decide that they wish to apply for voluntary severance.

Additionally, should it not prove possible to mitigate a redundancy situation, the Council may elect to undertake a voluntary trawl of employees who are affected by the change or may consider applications for voluntary severance from employees in unaffected parts of the organisation. The purpose being that an employee, identified as being at risk of redundancy and who has transferable skills, could be matched into a post avoiding a redundancy and this is commonly known as a "bumping arrangement".

Succession Planning principles will be key principles to be considered within Voluntary Redundancy and in considering individual cases.

At all times, the Council will consider whether it is able to release employees through a voluntary severance package based on the following criteria:

- Organisational priorities;
- The business case for the release;
- The potential opportunities the release may have for other employees;
- The retention of key technical skills and knowledge.
- cost/benefit to the Council;
- potential detriment to service provision;

Any approval for voluntary release can only be confirmed by the Policy & Resources Sub Committee.

• The main consideration for the Committee is that any release should generate efficiency through voluntary means thereby mitigating the prospect of having to achieve efficiencies through compulsory means.

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• The request for, or provision of, figures does not commit either the employee or the employer (the Council) to a voluntary redundancy.

Employees that are recommended for release through voluntary redundancy and/or early retiral on the basis that:

- The individual employee's post no longer exists within the Council's revised organisational structure as a result of changes due to budget commitments or changes related to organisational change;
- the voluntary release of the individual employee will create a possible redeployment opportunity for displaced or potentially displaced employees;
- the recommended voluntary release of the employee(s) presented will deliver savings and/or facilitate necessary organisational change that the Council has factored into current and future financial years;
- Individual approvals for Voluntary Severance / Voluntary Early Retirement will be supported by a clear business case. Costs directly charged to the Council's budget, as well as 'strain on the fund' and 'added years' costs should be 'paid' back within 3 years. (In exceptional circumstances this may be extended on an individual case basis, subject to agreement by the Policy & Resources Sub-Committee).

#### 4.5.1 Compensation

The compensation that individuals are entitled to are:

- Statutory Redundancy payment is included in the discretionary compensation payment. The number of week's pay (based on contractual pay) compensation pay depends on age and length of service **up to a maximum of 52 weeks** as shown in the Ready Reckoner.
- Employees eligible for pension benefits arising from BOTH redundancy and efficiency situations will receive :
  - Access to pension without actuarial reduction
  - Statutory Redundancy payment as per Redundancy Payment Ready Reckoner
  - Compensatory Added Years (CAY) up to a maximum of 5 years
  - An award of added years will be the subject to the maximum that would take an employee to either 65 years of age or 40 years' service. CAY can only be awarded where the employee is being retired on the grounds of redundancy or efficiency.
  - Where CAY is awarded as part of a redundancy retirement, these are payments under the Local Government (Discretionary Payments and Injury Benefits) (Scotland) regulations as opposed to under the Local Government Pension Scheme (Scotland) regulations. These payments therefore <u>do not</u> form part of an employee's annual allowance for tax-relieved pension savings.
  - If the employee goes back to work with any employer who participates in the LGPS, any pension resulting from additional service granted may be reduced or suspended <u>whether</u> or not the employee re-joins the LGPS.
  - If the employee goes back to work with any employer who participates in the LGPS, any pension resulting from additional service granted may be subject to a permanent reduction when the new employment ends.

## SECTION 5 REDUNDANCY POLICY

#### 5.1 Introduction

Where there is a need to reduce the number of people employed, the Council will endeavour to achieve this through volunteers and will strive to avoid compulsory redundancies. Compulsory redundancy is strongly viewed as the "last resort" and as such, the Council has developed a process to ensure that only when all else fails will compulsory redundancy be considered.

Throughout the process of consultation, consideration will be given to any representations made by trade union representatives and employees of any ways to avoid redundancies and thus mitigating the consequences of redundancy.

#### 5.2 Aims

The aims of the redundancy policy are to:

- Encourage early consultation on organisational changes that may affect employees.
- Promote redeployment as the primary method for dealing with changes to employee structures.
- Establish a framework for managing people issues caused by organisational changes.
- Ensure adoption of a consistent approach to redundancy situations.
- Support achievement of business, financial and employee resourcing plans.
- Support managers in the consistent application of the policy following appropriate training.

#### 5.3 Consultation & Disclosure of Information

Full and early consultation on organisational changes that may result in redundancy situations will take place with employees and their representatives. For the purpose of redundancy consultation, trade union representatives and employees affected will be entitled to receive the following details:

- reasons for proposals;
- numbers and descriptions of employees whom it is proposed to dismiss as redundant;
- total number of employees of any such description employed;
- proposed redundancy selection method;
- proposed method of carrying out the dismissals, procedures, period over which the dismissals are to take effect.

The aim of consultation is to reach agreement.

#### 5.4 Redundancy Selection Criteria

To ensure fairness and consistency of approach and to ensure that we satisfy our legal obligations, East Dunbartonshire Council, has developed a matrix approach to selecting employees for redundancy. This matrix *(Figure 1)* is based on a combination of the following factors:-

- Standard of Work Performance
- Skills, Competencies & Experience
- Flexibility & Team working
- Disciplinary record
- Attendance record
- Length of Service

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#### To Note:

The Council will only apply the Disciplinary, Attendance and Length of Service elements of the criteria outlined above when implementing the Matching Criteria Matrix from February 2013 onwards. The remaining 3 elements will be held in abeyance pending full and robust implementation and application of the Performance and Development Framework across all employee groups covered by this framework.

To determine which employees should be considered for redundancy the following matrix *(Figure 1)* will be applied. Individual employees within affected service areas (the "selection pool") will be scored against the defined criteria. All criteria must be referenced over the period of the employee's employment with the Council. Evidence to support the scoring assessment made must be available to demonstrate objectivity of the assessment process.

Each of the six criteria has been weighted to reflect their relative importance to the Council. To achieve the total score for an employee, each of the criteria is weighted by a factor of 1 to 3 to reflect its relative importance to the Council. These weightings are based on the Council's requirements to meet its primary business needs and targets as well as the need to maintain a balanced workforce.

The weightings are as follows:-

•	Work Performance	score x 3
•	Skills & Competencies	score x 3
•	Flexibility & Team working	score x 3
•	Disciplinary record	score x 2
•	Attendance record	score x 2
•	Length of Service	score x 1

Having weighted the scores, a total will be calculated for each employee. Provisional redundancy selection will be based on those employees with the lowest scores. <u>e.g.</u> if it is necessary to reduce resource levels from 15 to 10, the selection matrix is completed for all 15 employees. The 5 employees with the lowest scores will be provisionally selected for redundancy. To ensure that an objective and fair selection is made, additional information to support the scores will be gathered from as wide a range of sources as possible.

With full cognisance to equality legislation, East Dunbartonshire Council will reserve the right to retain employees with the required skills and experience to maintain a balanced workforce and remain efficient.

#### 5.5 Redundancy Selection Appeals Process

Employees who feel that the redundancy selection criteria have been unfairly applied in their case will have the right to appeal.

Redundancy Selection Appeal Hearing will be to consider the reason for the appeal submission by the employee, to consider possible remedies with the aim of resolving the complaint internally to the Council.

The Redundancy Selection Appeal Hearing will be chaired by the employee's Executive Officer /Service Manager with support from Organisational Transformation.

Employees have the right to be accompanied by their trade union representative or work colleague at all stages of the appeal process.

The following process will apply:

- The employee should submit their reasons for appeal in writing to their Director/Head of Service within 10 working days of receiving notification that they have been selected for redundancy.
- The employee may attach any supporting documentation they believe is relevant to their case.
- A date for the Appeal Hearing will normally be confirmed in writing to the employee within 10 working days of receipt of the appeal submission.
- At the Appeal Hearing, the employee (or their representative) will be given the opportunity to present the key points relating to their reason for appeal. No new evidence may be presented at this time.
- The line manager who was responsible for the redundancy selection assessment will be asked to present the justification for the redundancy selection decision and will be asked to comment on the information presented by the employee.
- The parties will then be asked to withdraw to allow the Panel to deliberate in private.
- Following consideration of the case, the Appeal Hearing outcome will normally be confirmed in writing to the employee within 10 working days of the hearing, confirming that there is no further right to appeal.

#### 5.6 Time Off

Employees who are displaced as a result of organisational change and have not been matched to a suitable alternative post will be entitled to and encouraged to take reasonable time off to look for other work or arrange training.

#### 5.7 Redundancy & Voluntary Severance Payment Structure

The current options and payment structures are defined within Appendix A.

Further information can be obtained from Strathclyde Pension Fund (SPF) or SPPA.

#### 5.8 Re-employment following Redundancy or Voluntary Severance

Where an employee is re-employed by the Council – regardless of the new role they are appointed to – within one (1) year of redundancy or voluntary severance, they will be required to forfeit any Redundancy and/or Compensation payment made to them.

## **SECTION 6**

#### SUPPORT & OUTPLACEMENT SERVICES

#### 6.1 Introduction

Everyone at some point needs help in dealing with change, especially if they or their work colleagues are involved or affected by an organisational change programme or a redundancy programme. In recognising this, the Council will establish a comprehensive range of support and advisory services to help overcome the difficulties and uncertainties encountered.

#### 6.2 Sensitivity of Approach

The decision to implement a redundancy programme is an unpleasant and difficult one in any circumstances.

For the employees concerned, the decision that they will not be part of the new organisation can be a traumatic one. For the employees who remain with the Council we recognise that working through the change process can in itself be unsettling.

The Council's aim is to ensure that any change and/or redundancy programme is handled sensitively, openly, fairly and consistently. In reality, the Council acknowledges that regardless of the manner in which these situations are handled, it is unlikely that a 'feel good' factor will be achieved for all of those staying and all those going.

However it will be critical for all employees that the approach taken is seen to be fair and that as far as is possible is a positive experience for those involved.

With thought and pre-planning, our Support & Outplacement Services will be designed to help people cope with change and ideally, the end result should be that individuals leaving East Dunbartonshire Council will do so with a sense of pride in having worked for the organisation, feeling that they have treated been fairly and equitably.

#### 6.2 A Tailored Programme

It is vital within our services that each person using these services will be treated individually and in confidence and as a result will receive the support required to meet <u>their</u> needs.

Our programme falls naturally into 2 distinct sections: -

#### • Section 1 – Outplacement Services

This section will look at essential services that all employees leaving the Council as a result of change should take advantage of. It will then move on to provide a 'menu' of optional services that can be tailored to suit each individual case.

#### Section 2 – Support Services

This section will look at what can be provided for the individuals who remain with East Dunbartonshire Council in order to reduce the incidence of 'Survivors Syndrome'.

The services on offer will cover issues such as securing new employment, dealing with the effects redundancy may have on family life, counselling and emotional support, financial advice, adapting to change – basically, how to cope with this major change in life.

#### 6.4 Facilities & Assistance ~ Support & Outplacement Services

In addition to the Support & Outplacement Services available, a number of facilities will be available to assist employees facing redundancy, including:-

- One to one support advisers identified as a contact for employees
- Assistance with the drafting of CVs, the completion of application forms and guidance on recruitment interview styles and processes will be offered.
- Skills and competency development to assist with internal and external job search
- Other organisations will be contacted to identify potential vacancies and offered on-site facilities to interview displaced employees.
- Online learning, PC access and any other facilities such as telephone use will be available for use by displaced employees in order to follow up job opportunities.

- Employee assistance programmes will be available for employees to access throughout the process
- counselling, including redundancy, financial planning and assistance will be offered.

Experience and benchmarking demonstrates that when people leave an organisation as a result of a business change process, the most frequently requested and used services are: -

#### > Securing New Employment

Many people leaving the Council will want to get back into employment as quickly as possible. To help them do this, we can provide workshops, advice and facilities to identify where job opportunities exist, how to decide if the vacancy is suitable, how to actually apply for a new job by writing letters and designing a CV and interview skills.

#### > Effects on Family Life

This is obviously a very personal issue and as such, confidential 1-to-1 counselling with specialist consultants will be available. The sessions will be tailored to respond to the concerns, fears and issues affecting each person.

#### > Financial Advice

Whether it be paying the rent or securing the best return on an investment, money matters will be at the forefront of everyone's mind. To help, we have the facilities and contacts to secure the services of a range of independent financial advisors, who will provide confidential and impartial advice on financial planning, investments, budgeting and taxation. Support given will be tailored to suit the needs of the individual and may be provided by a range of suitably qualified providers.

A full range of services which will be tailored for the individual based on engagement and communication with dedicated support advisers.

### SECTION 7 REVIEW AND DEVELOPMENT OF THE PRINCIPLES OF CHANGE STRATEGY

This strategy and its policies will be subject to regular review in partnership with our trades union colleagues to ensure that it reflects changing legislative and regulatory requirements and that the Council continuously improves it approach to managing organisational change.

#### APPENDIX A REDUNDANCY & VOLUNTARY SEVERANCE PAYMENT STRUCTURE

#### A.0 Redundancy Payments

- A.1 If after all possibilities have been exhausted and an individual employee's employment is terminated with East Dunbartonshire Council, then the employee may be entitled to a redundancy payment.
- A.2 The Redundancy Payment is only available to those employees who at the date of their termination of employment are and who have at least 2 years continuous service.
- A.3 Employees will be expected to work through their notice period.
- A.4 Please refer to the Ready Reckoner below.

#### B.0 Early Retiral

- B.1 Employees who are members of the LGPS and are aged 55 (50 if you were a member as at 6 April 2006) or over and have at least two years' total membership, may apply for early retiral and you will receive your pension and lump sum immediately with no reduction for early payment. As costs are incurred with each option, approval to proceed to P&R Sub-Committee must initially be granted by the Education, People and Business Directorate and the appropriate Depute Chief Executive, but ultimately the decision is made by the Policy & Resources Sub-Committee.
- B.2 Interests of Efficiency of the Service is available to employees aged 55 (50 if you were a member as at 6 April 2006) or over with at least two years total membership.
- B.3 Early Retiral plus Redundancy/Compensation is available when an employee is eligible for early retiral and the service can afford to make the post redundant.

#### C.0 Voluntary Early Retirement (Rule 85)

- C.1 Any pension scheme members aged between 55 (50 if you were a member as at 6 April 2006) or over and have at least two years' total can request early payment of pension benefit.
- C.2 Where the employee is under age 55, the Council must authorise this.
- C.3 In these circumstances the employee's pension benefits would be actuarially reduced to compensate the Pension Fund for the loss of the contributions. The Council will be required to pay the strain on the fund cost of the person leaving early.
- C.4 Where, however, an employee's pension scheme membership (total years) added to his/her age, amounts to 85 or more, then the employee's benefit will be paid without reduction, with the Council reimbursing the pension fund for the early payment of benefits i.e. the strain on the fund cost.
- C.5 The Rule of 85 can prove to be an expensive discretion and it is recommended that it only be used where it can be clearly demonstrated to be in the Council's interests and is less expensive than other options available.
- C.6 As costs are incurred, approval to proceed to Committee must initially be granted by Education, People & Business Directorate and the appropriate Depute Chief Executive/Executive Officer but ultimately the decision is made by the Policy & Resources Committee.

#### D.0 Compensation

D.1 The Local Government (Discretionary Payments and Injury Benefits) (Scotland) Regulations 1998 (as amended), will apply to those employees who are LGPS members with at least 2 years continuous service and are under 55 (50 for protected members) or employees who are non-members of the Scheme.

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42	2.5	3.5	4.5	5.5	6.5	7.5	8.5	9.5	10.5	11.5	12.5	13.5	14.5	15.5	16.5	17.5	18.5	19.5	20.5
43	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21
44	3	4.5	5.5	6.5	7.5	8.5	9.5	10.5	11.5	12.5	13.5	14.5	15.5	16.5	17.5	18.5	19.5	20.5	21.5
45	3	4.5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22
46	3	4.5	6	7.5	8.5	9.5	10.5	11.5	12.5	13.5	14.5	15.5	16.5	17.5	18.5	19.5	20.5	21.5	22.5
47 48	3 3	4.5 4.5	6 6	7.5 7.5	9 9	10 10.5	11 11.5	12 12.5	13 13.5	14 14.5	15 15.5	16 16.5	17 17.5	18 18.5	19 19.5	20 20.5	21 21.5	22 22.5	23 23.5
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57	3	4.5	6	7.5	9	10.5	12	13.5	15	16.5	18	19.5	21	22.5	24	25	26	27	28
58	3	4.5	6	7.5	9	10.5	12	13.5	15	16.5	18	19.5	21	22.5	24	25.5	26.5	27.5	28.5
59	3	4.5	6	7.5	9	10.5	12	13.5	15	16.5	18	19.5	21	22.5	24	25.5	27	28	29
60	3	4.5	6	7.5	9	10.5	12	13.5	15	16.5	18	19.5	21	22.5	24	25.5	27	28.5	29
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47	6	9	12	15	18	20	21	23	26	28	30	32	34	36	38	40	42	44	46	48	50	52	52	52	52	52	52	52	52
48	6	9	12	15	18	21	23	25	27	29	31	33	35	37	39	41	43	45	47	49	51	52	52	52	52	52	52	52	52
49	6	9	12	15	18	21	24	26	28	30	32	34	36	38	40	42	44	46	48	50	52	52	52	52	52	52	52	52	52
50	6	9	12	15	18	21	24	27	29	31	33	35	37	39	41	43	45	47	49	51	52	52	52	52	52	52	52	52	52
51	6	9	12	15	18	21	24	27	30	32	34	36	38	40	42	44	46	48	50	52	52	52	52	52	52	52	52	52	52
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58	6	9	12	15	18	21	24	27	30	33	36	39	42	45	48	51	52	52	52	52	52	52	52	52	52	52	52	52	52
59+	6	9	12	15	18	21	24	27	30	33	36	39	42	45	48	51	52	52	52	52	52	52	52	52	52	52	52	52	52

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#### To determine which employees should be "matched" the following matrix will be applied. Individual employees within affected roles will be scored on the following criteria. Each of the six criteria has been weighted to reflect their relative importance to the Council. SCORE **CRITERIA** Work Performance Overall performance is outstanding and consistently exceeds the required standard 5 4 Overall performance exceeds the objectives of the role • Overall performance meets all the objectives of the role 3 Overall performance meets most of the objectives of the role 2 Overall performance fails to meet the objectives of the role 1 • Skills; Competence & Experience 5 Displays full competence in current role, is multi-skilled, regularly providing support to other ٠ Displays full competence in current role 4 3 Displays competence in most aspects of the role but requires some supervision • Displays some of the competencies required in the current role, requires regular supervision & support 2 • Has insufficient skills in the current role and cannot operate without close supervision 1 Flexibility & Team working Actively demonstrates a flexible approach, open to suggestions, shares ideas, promotes team working, contributes fully 5 • to the team Flexible in approach when asked, fully contributes to the team 4 • Contributes to the team, but tends to go back to old ways rather than new 3 • Willing to listen to new ideas, but will await results before participating, reluctant to change 2 Prefers traditional approach, resistant to change, focuses on requirements of own job 1 • **Disciplinary Record** 5 No disciplinary record ٠ Informal disciplinary discussion recorded 4 ٠ Verbal warning 3 • 2 • First written warning Final written warning/suspension without pay 1 • **Attendance Record** Excellent attendance, no instances of absence 5 Above average attendance, some examples of absence/lateness but less than the selection pool average 4 • Attendance/timekeeping equivalent to the selection pool average 3 • • Below average or poor attendance/timekeeping compared to the selection pool average 2 Unacceptable levels of attendance/lateness 1 • Length of Service 5 15 years or more years continuous service 10 years but less than 15 years continuous service 4 • 5 years but less than 10 years continuous service 3 • 2 years but less than 5 years continuous service 2 • Less than 2 years continuous service 1 To achieve the total score for an employee, each of the criteria is weighted by a factor of 1 to 3 to reflect its relative importance to the Council. These weightings are based on the Council's requirements to meet its primary business needs and targets as well as the need to

**FIGURE 1 - MATCHING CRITERIA MATRIX** 

FIGURE 1

maintain a balanced workforce. The weightings are as follows:Work Performance score x 3
Disciplinary record score x 3

•	Work Performance	score x 3	<ul> <li>Disciplinary record</li> </ul>	score x 2
٠	Skills & Competencies	score x 3	<ul> <li>Attendance record</li> </ul>	score x 2
٠	Flexibility & Team working	score x 3	Length of service	score x 1

Having weighted the scores, a total is calculated for each employee. Matching to the new roles will be based on the employee(s) with the highest scores. <u>e.g.</u> If it is necessary to reduce resource levels for the new role from 5 to 3, the matching criteria matrix is completed for all 5 employees. The 3 employees with the highest scores will be matched to the new role. To ensure that an objective and fair assessment is made, additional information to support the scores will be gathered from as wide a range of sources as possible.

*Note:* The Council will only apply the Disciplinary, Attendance and Length of Service elements of the criteria outlined above when implementing the Matching Criteria Matrix from February 2013 onwards. The remaining 3 elements will be held in abeyance pending full and robust implementation and application of the Performance and Development Framework across all employee groups covered by this framework.