

## EMPLOYMENT AND APPEALS COMMITTEE

10 October 2023

### HR POLICY

#### Report of the Strategic Director of Resources

Strategic Aim:	A modern and effective Council	
Exempt Information	No	
Cabinet Member(s) Responsible:	Cllr A Johnson, Deputy Leader and Portfolio Holder for Resources	
Contact Officer(s):	Carol Snell, Head of Human Resources	01572 720969 csnell@rutland.gov.uk
	Kirsty Nutton, Strategic Director of Resources (s.151 Officer)	01572 758159 knutton@rutland.gov.uk
Ward Councillors	NA	

#### DECISION RECOMMENDATIONS

That the Committee:

1. Approves an updated Restructure Policy (Appendix A).

## 1 PURPOSE OF THE REPORT

- 1.1 To seek approval to an updated and refreshed Restructure Policy as outlined in Appendix A and paragraph 3.

## 2 BACKGROUND AND MAIN CONSIDERATIONS

- 2.1 The Council's Restructure Policy provides us with a clear framework that enables us to effectively manage employee implications arising from organisational change eg. restructures. Together with robust guidance and procedures behind it, the Policy establishes a fair, transparent and effective process for dealing with such situations – enabling delivery of the 'change' and ensuring compliance with statutory requirements.
- 2.2 We have taken the opportunity to review and update the existing policy – given that we are likely to draw on this policy to help support organisational changes ahead to deliver our Transformation Programme and Medium-Term Financial Strategy.

2.3 The existing policy had focussed on larger scale/impact situations and we have therefore taken the opportunity to review the policy to:

- Include reference to service and operational changes as part of ‘normal business’.
- Streamline the presentation of the policy so that it focusses on ‘policy’ and therefore enabling us to develop a separate set of tools and guidance to support the delivery of the policy.
- Challenge some of the current policy approaches and present alternatives that are more enabling, understandable and workable,
- Ensure our policy enables us to effectively navigate through necessary organisational change.

2.4 Over the past 3 years we have supported service reviews/restructures in the following areas:

Children and Families	Current process – amendment to Heads of Service roles. Working through implications.
Corporate Services	Amendments to roles – no change in headcount, no job losses
Communications service	Change of structure and roles; 2 redundancies.
Children and Families	Changes to Principal Social Worker role – displaced and redundant.

2.5 Appendix A provides a full revised copy of the policy, supported by a summary of the proposed changes at paragraph 3.

### 3 PROPOSED CHANGES

3.1 The proposed changes are as follows:

Para	Amendments
1.2	Inclusion of reference to less formal restructures as part of delivering day to day business.
1.5	Costed proposals required and approved by Strategic Director.
2.4.2	Provides a clear process for when employees are temporarily acting up to another position or receiving an additional responsibility allowance. Any implications arising from a service review/restructure would consider them in their substantive role.
2.4.3	Relates to ‘slotting’ – ie. when a new job is at least 75% the same as an individual’s substantive job – they are ‘slotted’ into the new role (unless there is a reduction in headcount). 75% is more in line with comparator policies. Previously our policy was 50%.
2.4.3	We have removed the appeal process when an employee is/is not slotted. Any challenges or disagreements would be part of the consultation

	process.
2.7	Pay Protection – our previous policy was quite complex (varying percentages depending on difference and number of years). The amendment is more in line with comparator policies and is much simplified at – protection for one year; one grade difference. This reinforces our intention to support an individual to return to the level of their substantive grade.
2.10.4	If an employee is dismissed on redundancy grounds they can appeal against the decision – this is currently to Members. In the policy we have referenced ‘in line with Council policy and delegations’ to enable us to operate within the constitution and what that may stipulate.
2.11.1	Following some emerging case law and advice from legal advisers, we have included reference that we consider pension contributions do not form part of the calculation of an employee’s week’s pay.

#### **4 CONSULTATION**

- 4.1 The Council is required to consult with the recognised Trade Unions for the consideration of employment policies. Unison have raised no comments nor concerns with this policy.

#### **5 ALTERNATIVE OPTIONS**

- 5.1 The Council could operate within the existing policy but this would not enable us to draw on the improvements as outlined.
- 5.2 The existence of such a policy not only provides transparency and clarity for all, it appropriately reflects employment legislation and therefore mitigating risks of legal challenge.

#### **6 FINANCIAL IMPLICATIONS**

- 6.1 None arising from the policy itself. Costs are though incurred in circumstances where redundancy occur as part of a specific proposal.

#### **7 LEGAL AND GOVERNANCE CONSIDERATIONS**

- 7.1 The policy fully reflects relevant employment legislation, eg. statutory requirement to consult.

#### **8 DATA PROTECTION IMPLICATIONS**

- 8.1 A Data Protection Impact Assessments (DPIA) has not been completed because there are risks/issues to the rights and freedoms of natural persons.

## **9 EQUALITY IMPACT ASSESSMENT**

9.1 An Equality Impact Assessment (EqIA) has been completed. No adverse or other significant issues were found. A copy of the EqIA can be obtained from Carol Snell, Head of HR.

## **10 COMMUNITY SAFETY IMPLICATIONS**

10.1 There are no community safety implications arising from this report.

## **11 HEALTH AND WELLBEING IMPLICATIONS**

11.1 There are no community safety implications arising from this report.

## **12 ORGANISATIONAL IMPLICATIONS**

12.1 Human Resource implications - this is an important policy as part of our portfolio of HR policies – setting out a clear framework for how the organisation manages changes that have an impact on the security of an employee's role.

## **13 CONCLUSION AND SUMMARY OF REASONS FOR THE RECOMMENDATIONS**

13.1 As outlined in this report, this is an updated and refreshed policy that enables the organisation support the management of organisational change and in particular the employee/HR implications.

## **14 BACKGROUND PAPERS**

14.1 None

## **15 APPENDICES**

15.1 Appendix A – Restructure Policy

**A Large Print or Braille Version of this Report is available upon request – Contact 01572 722577.**