

## ORGANISATIONAL CHANGE POLICY

### 1. Introduction

Slough Borough Council strives to deliver high value services to the community while recognising its staff as the most vital resource in achieving this goal. As changes in service delivery are inevitable, the council is committed to approaching these changes positively and constructively whenever possible.

Restructuring and reorganisation is constant within local government, often arising from changing service needs and budgetary pressures. Recognising that change often causes instability for the individual, team and organisation, this procedure sets out a clear method of dealing with organisational change whilst continuing to deliver services and avoid compulsory redundancy wherever possible

We will handle any changes with care and consideration for all employees, ensuring our approach aligns with our core values and the principles outlined in SBCs [Equality, Diversity & Inclusion policy](#).

This policy applies to all staff directly employed by the Council. It does not apply to employees in schools under local management, or to workers employed through an agency.

This Policy is not contractual, and SBC reserve the right to amend this, Policy. In the event of any conflict between this Policy and statutory rights, the statutory rights will take precedence.

### 2. Scope

There are different levels of organisational change, each requiring a tailored approach and specific processes for consultation and implementation.

The level of engagement with Trade Unions (TUs) and affected employees will vary depending on the type and impact of the change. This policy outlines three categories of change, and it is essential that managers, with support from their HR Business Partner, identify the appropriate level:

- Minor or Business-as-Usual changes
- Contractual changes (without redundancies)
- Contractual changes (with potential redundancies)

### **Minor Changes (Business-as-Usual or Temporary)**

There may be times when the Council makes minor changes to your work and how it is delivered. This may typically include adjustments to line management and reallocating teams to a different directorate and also temporary cover arrangements (e.g., for sickness or increased workloads), updates to IT systems, or trials of new working methods.

Such changes are usually intended to improve efficiency or service delivery. They do not significantly alter an employee's role or lead to redundancies and therefore fall outside the scope of this policy.

### **Contractual Changes – No risk of redundancy**

These changes may involve permanent adjustments to working hours, the introduction of shift patterns, or significant updates to duties and job descriptions that are not part of a restructure process where there is a risk of redundancy.

Consultation with Trade Unions and affected employees is required, when there is a change in collective terms. While there is no statutory minimum consultation period, a 2–4-week consultation window will be provided, depending on the scale and impact of the changes. If the change only affects individual members of staff, no trade union consultation is required.

Management will clearly explain the proposed changes, the reasons behind them, and will aim to reach agreement with employees on the updated contract terms.

Employees have the right to be accompanied at meetings by a trade union representative or a workplace colleague.

## **Change Management**

There are times when the Council may need consider the structure of the organisation and the roles required within that structure. This may result in the reduction in the number of posts and the creation of new posts that meet the needs within a given service area.

Formal consultation is required for these types of changes, following the stages outlined below. In addition to transitioning staff into new roles, structures, or locations, managers must also consider redundancy avoidance options such as redeployment or placement of employees without roles in the new structure.

If proposed changes could lead to potential or actual redundancies, these must be discussed with the relevant recognised trade unions.

Managers must adhere to the minimum statutory consultation periods:

- 30 days where 20–99 redundancies are proposed
- 45 days where 100 or more redundancies are proposed

Legally, if 20 or more redundancies are proposed, consultation must begin at least:

- 30 days before the first dismissal takes effect (for 20–99 redundancies)
- 45 days in advance (for 100 or more redundancies)

Consultation begins only once full documentation of the proposed changes has been provided to affected staff and the relevant unions. This must include detailed information such as draft job descriptions, new staffing structures, rotas, or schedules. For major changes like the reorganisation of a large department the consultation period may be extended to allow adequate time for review and consultation.

The process for selecting staff for new structures will form part of the formal consultation. The selection approach will depend on whether the number of roles has changed and whether the functions of new roles differ significantly from current ones. Methods may include:

- Direct matching to new roles
- Ringfencing opportunities
- Placement in alternative roles within the same directorate
- Redeployment to roles across the wider organisation

Redundancy occurs when an employee is dismissed due to a reduced need for their type of work. As soon as management begins considering changes that may result in redundancy, they must initiate formal consultation.

### **3. Purpose and Process of Formal Consultation**

The aim of formal consultation is to seek feedback from trade unions and employees on ways to avoid dismissals, explore alternative proposals, reduce the number of redundancies, and minimise the impact on affected staff.

#### **Completing Statutory Requirements**

If the proposed changes could lead to 20 or more redundancies within a 90-day period, the organisation is legally required to:

- Submit a formal notification to the Redundancy Payments Service using the HR1 form, and
- Notify the trade unions in writing under Section 188 of the Trade Union and Labour Relations (Consolidation) Act 1992, outlining its legal duty to consult.

#### **Consulting with Relevant Trade Unions**

Formal consultation begins when management provides the relevant trade union(s) with a written statement that includes:

- Reason for the proposed changes
- Number of roles and employees at risk
- Total number of the service establishment
- The proposed selection method
- Proposed method of dismissals
- The proposed method of calculating any redundancy payments
- Proposed date in which notice letters will be issued to impacted staff (this will include any early termination to any staff on fixed term contracts).

Where possible, management should inform the trade union(s) in advance of the formal consultation to avoid any surprises. It is also good practice to involve the union informally at an early (pre-consultation) stage.

Following the written statement, management should invite the trade union(s) and affected employees to a meeting to formally begin the consultation process. This meeting should outline the proposals and provide an opportunity to address any immediate questions or concerns.

Ongoing discussions should take place with both the trade union(s) and individual employees to listen to their feedback and respond accordingly. If the union puts forward alternative proposals, management should reply in writing clearly stating what action, if any,

will be taken and providing reasons for the decision. Ideally, this should all be concluded before the end of the formal consultation period.

## **Consultation with affected employees**

All employees affected by the proposed changes must be consulted in a meaningful and respectful way especially where there is a risk of redundancy. Consultation should take place face-to-face or via Microsoft Teams, ensuring a two-way dialogue. Consultation must not be conducted solely through letters or written communication. While written materials (e.g., emails, briefings) can support the process, they should not replace interactive discussions.

Keep employees informed throughout the process with regular updates and offer individual consultation meetings to discuss the impact of the changes, answer questions, and explore options.

Employees have the right to be accompanied at consultation meetings by a recognised trade union representative or a workplace colleague. This right must be clearly communicated ahead of any individual meetings.

At the conclusion of the consultation:

- Employees who are directly matched to a role in the new structure will receive formal written confirmation of their appointment.
- The selection process for those identified within a ringfenced group
- All other affected staff will be issued with formal notice of redundancy.

Implementation of appointments to any remaining roles in the restructured service will proceed in parallel with the notice period, ensuring a smooth and timely transition.

## **4. Job Matching process**

The approach for filling posts during restructuring is outlined below. This applies to situations involving selective change and potential redundancy. In certain cases, the sequence may be adjusted to help reduce the risk of redundancy or retain key skills and experience. The method for filling posts should be discussed with trade unions at the outset and clearly outlined in consultation materials.

### **Direct Matching**

A direct match may be applied when a role in the new structure is the same or substantially similar to an existing post. Direct matching can be considered for roles within one grade up or down of the new post. Where there is a single eligible employee, they should be automatically slotted into the post without the need for an interview.

As a guide, there should be at least a 75% match between the current and proposed job descriptions, based on core functions and responsibilities.

## **Pooling and Competitive Selection**

Where multiple employees are eligible for a role that meets the direct match criteria (i.e. within one grade and a 70% job match), a competitive selection process will apply.

Employees will compete for the available roles using selection criteria drawn from the Job Description. This may involve interviews, practical assessments, or tests appropriate to the role and grade.

## **Ring-Fencing**

Ring-fencing applies to employees at risk of redundancy, whose posts are being deleted or significantly changed. It covers new roles that are broadly similar to the employee's current role (no less than 50% difference) and are at the same grade or within one grade higher or lower.

Ring-fences are created for unmatched staff with a potential claim to a new role, based on job similarity and grade. Those within the ring-fence will need to participate in an internal selection process to determine suitability for the new role.

In some cases, the ring-fence may be widened to include all employees in scope of the restructure, regardless of grade. This approach may be used to minimise compulsory redundancies and streamline selection processes. Any such changes will be discussed in advance with the trade unions. Those who are in the ring fence will be expected to participate in the process.

## **Remaining unfulfilled posts**

Any posts in the proposed new structure which are unfilled through direct matching, pooling and competitive appointment or through ring-fencing will only be advertised internally in the first instance.

## **5. Redeployment**

Employees not appointed to roles through the selection process have the right to be considered for redeployment opportunities across the wider organisation.

Employees at risk of redundancy will normally be given priority consideration for vacancies, on par with those being redeployed due to ill health or disability.

A suitable alternative post is defined as one for which the employee:

- Meets the essential qualifications (where relevant), and
- Has the aptitude to perform the role immediately or with reasonable training in the near future.

Redeployees may be considered for roles up to one grade above or below their current grade but will only be directly matched to roles of the same grade that meet the 75% job match threshold.

Where a redeployee is appointed to a lower-graded post, salary protection will apply for 12 months. However, salary protection will not apply to roles more than one grade below the employee's current grade.

Employees may apply for higher-graded posts but must fully meet the essential criteria to be eligible for appointment.

The Recruitment will:

- Identify redeployees to suitable vacancies using employee profile forms and job descriptions.
- Address issues related to redeployment; and
- Oversee the administration of the redeployment process.

The Recruitment team will ensure consistent application of the Council's redeployment procedures.

The Recruitment team will ensure that information on funded, suitable vacancies across the Council is shared with those eligible for redeployment.

The HR Business Partner, working with the Service Manager, will:

- Identify potential suitable alternative roles within the Directorate at the start of the restructure, including roles currently covered by agency or interim staff.
- Seek Directorate Leadership Team (DLT) agreement to reserve these roles for employees at risk of displacement from the restructure.

## 6. Trial Periods

A trial period of 4 weeks (or a longer period of up to 12 weeks where additional time is needed for retraining) will be provided for all redundancy redeployments. Any extension beyond 4 weeks must be agreed in advance.

## 7. Redundancy Selection

Selection must be based on objective criteria that identify the most capable employees to perform the roles that remain. The process must be free from any bias and fully aligned with the Council's equality policies. Typically, selection will involve assessment and/or interviews with employees at risk of redundancy, conducted in a manner similar to a recruitment process. Decisions will be made by the interview panel based on the essential requirements of the role, as outlined in the written person specification.

## Voluntary Redundancy

Employees at risk of redundancy maybe invited to express interest in voluntary redundancy, subject to business needs. In some cases, volunteers may also be sought from individuals in roles that could offer suitable alternative employment for those at risk.

Employees must be advised that the final decision rests with the Council. Voluntary redundancy requests may be declined if agreeing to them would compromise the retention of the skills and experience needed to deliver essential services.

Discussions around voluntary redundancy will remain private and confidential between the manager and the employee. If a request is refused, the manager will provide an explanation, outlining why the role is considered critical to service delivery.

The Council's decision regarding voluntary redundancy is final. There is no right of appeal against a decision to decline a voluntary redundancy request.

## **8. Fixed Term Contracts**

In accordance with the Fixed-Term Employees (Prevention of Less Favourable Treatment) Regulations 2002, employees on a fixed term contract should be treated no less favourably than a permanent member of staff.

In genuine redundancy situations, fixed term/temporary employees with more than 2 years' service receive the same entitlement to redundancy pay as comparable permanent employees.

The specific nature of the contract should be considered when making decisions about including fixed-term or temporary employees in selection processes related to organisational change.

Where individuals have been engaged for specific purposes—such as maternity/absence cover, short-term projects, or interim arrangements pending a restructure—or where they have less than two years' service at the planned go-live date of the new structure, they will normally not be included in the selection pool.

## **9. Appeals**

Employees have the right to appeal a manager's decision not to grant a direct match, by explaining why they believe they meet at least 75% of the criteria for the role.

An employee cannot appeal where they disagree with a match, since it mitigates a risk of redundancy.

Appeals will only be considered where the employee believes that direct match threshold has been incorrectly applied or assessed.

Appeals must be submitted in writing to the relevant Head of Service or Director, as appropriate, within 5 working days of receiving confirmation of the final direct match list.

The appeal must clearly state why the employee believes the decision was unfair or unreasonable.

Employees appealing against selection for redundancy must explain why they believe the selection process was either procedurally not followed or the outcome was unreasonable in all the circumstances. Appeals must be submitted in writing to the relevant Head of Service or Director within 5 working days of being notified of the decision.

Appeals against a decision not to grant a direct match will be heard by an independent manager from outside the immediate area of change, who has had no prior involvement in the process, along with a representative from HR. The relevant Head of Service or Director will nominate the independent manager. Appeals will aim to be heard within 10 working days of receipt, and outcomes will aim to be confirmed in writing within 5 working days of the hearing.

Appeals against selection for redundancy will be heard by the relevant Head of Service or Director, alongside an HR & Organisational Development representative. These appeals will aim be held within 10 working days, and outcomes will aim to be confirmed in writing within 5 working days of the hearing.

Employees are entitled to be accompanied at an appeal hearing by a workplace colleague or a recognised trade union representative.

If an appeal is successful, the panel will consult with the relevant Director to determine whether the selection process needs to be re-run or whether specific selection criteria should be reviewed and reassessed, depending on the circumstances of the case.

## 10. Roles and Responsibilities

### Managers

Managers play a key role in the organisational change process. Once a need for change has been identified and agreed, managers will be responsible to implement the required change effectively.

Key Responsibilities are:

- Ensure a business case/case for change is signed off by CLT before any change commencement begins.
- Ensure relevant budgets to fund the new changes and any potential redundancy costs are approved by finance.
- Work in partnership with HR to effectively plan and implement the change
- Ensure early engagement with staff and trade unions in advance of formal consultation setting out the drivers for change, process to be followed and timescales for change.
- Follow the guidance and provisions in this procedure and supporting documents.
- Engage in a full and meaningful consultation process with staff and the TU's.
- Undertake Equality Impact Assessment (EQIA)

## **HR Business Partner (HRBP)**

The HRBP is the liaison point between the business and HR. The HRBP role will be able to help senior managers make decisions on the range of staffing issues that might be raised as part of the organisational change process. It is therefore, important that managers and HRBPs begin working together before decisions that might affect employees are considered.

The HRBP will be responsible for:

- Working with Managers and enabling them to identify the appropriate change processes which support the need of the service
- Support the development of the business case for change, providing establishment data, redundancy costs.
- Ensure that workforce plans and timelines are in place
- Ensure all aspects of the change are legally compliant and reflect SBC's values of inclusion and equity.
- Bringing other service areas to assist with the change processes e.g. Employee Relations, Learning and Development, Payroll.
- Ensure all relevant documentation is provided to those affected by the change and that SBC remains fully compliant.

## **Employees**

Employees have an important role to play, to make sure they have the information necessary to make informed choices and to promote the positive impact of change. They can do this by:

- Making themselves aware of and taking ownership of options open to them
- Engaging actively in the change processes, including selection for roles redeployment. This may involve completing forms, participating in assessments, meetings and responding to consultation.
- Making themselves aware of the options open to them and giving them careful consideration
- Being open to re-training and developing into new roles where required.

## **Trade Union**

The TU's have an important role as follows:

- Representing the union membership through consultation with managers throughout the change process
- Working constructively with managers to minimise the impact of change on employees
- Providing their members with representation in cases of complaint which may arise because of organisational change

