



# **Organisational Change Policy**

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<b>Approved by</b>	<i>Quality and Governance Committee</i>
<b>Date of next review</b>	17 May 2019
<b>How is policy to be disseminated</b>	All Staff

<b>Check list for Governing Body/approving committee</b>	
Has an Equality Impact Assessment been completed?	Yes
Has legal advice been sought?	No
Have training issues been addressed?	Yes
Are there financial issues and have they been addressed?	Yes
How will implementation be monitored	Through the SCWCSU HR Team
How will the policy be shared with: <ul style="list-style-type: none"> <li>• Staff?</li> <li>• Patients?</li> <li>• Public?</li> </ul>	Via the Bristol CCG internet site and dedicated communication to Bristol CCG employees.
Are there linked policies and procedures?	Redundancy Policy, Redeployment Policy, Pay Protection Policy, Appeals Policy, Grievance Policy

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## **1. Introduction**

Bristol Clinical Commissioning Group is committed to providing high quality care through the effective management and development of all its members of staff and believes that the effective management of resources and talent is an essential part of this.

Change can be needed for many different reasons, for example due to economic factors, changes in the organisational structure, new standards of performance or changes in social expectations. When these changes affect the provision of our services and in turn the employment contracts of our staff, we refer to it as 'organisational change'.

Organisations need to change in order to be successful and efficient and to respond to demands placed upon them. We recognise that we must ensure that the provision of our service is maintained and improved upon and that we must evolve and positively embrace change in order that we can maximise our performance.

## **2. Key Principles**

This policy will operate under the following key principles:

- HR advice should be available at all stages
- The rationale for change should be made clear
- All staff will have the right to representation by a colleague or trade union representative
- All staff will have the right to appeal as per the organisations Appeals Policy
- The organisation will seek to maximise opportunities for all staff affected to ensure that compulsory redundancies are negated or kept to a minimum
- The organisation will communicate with openness, fairness and transparency
- Support will be available for those affected
- Legislative requirements and timeframes will be adhered to and the leaders of the change programme to familiarise themselves with these

## **3. Purpose and Scope**

This policy sets out the standards and processes that Bristol CCG aim to achieve when managing organisational change. Throughout any organisational change, we will:

- Be open and inclusive and ensure that information and ideas are exchanged.
- Work in partnership with our recognised staff side representatives.
- Ensure you are fully supported and valued.
- Recognise and value your contribution to the organisation.
- Retain your skills, experience and commitment wherever possible.
- Encourage and help develop your skills as appropriate for you.
- Facilitate the transfer of your skills across organisational boundaries.
- Ensure you are treated fairly, with courtesy and respect and no-one will receive less favourable treatment on the grounds of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, sexual orientation, part-time status, fixed term contract status or whether you are a member of a trade union or not.
- Act with integrity and will adopt best employment practice in being a model employer, working in partnership with you.

This policy applies to all members of staff within Bristol CCG including hosted services except in circumstances where national policy or frameworks take precedent.

This policy does not form part of any employee's contract of employment and it may be amended from time to time or as appropriate in any case.

#### **4. Duties and Responsibilities**

##### **Line Managers**

Line Managers have a responsibility to:

- Consult with HR when organisation change is identified to ensure best practice is followed and the organisation remains legally compliant
- Operate within the procedures of this policy and apply such procedures fairly and consistently
- Keep affected staff, their representatives and other relevant stakeholders fully informed throughout the change programme
- Not discriminate against any member of staff during this process on the basis of: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, sexual orientation, part-time status, fixed term contract status or whether you are a member of a trade union or not
- Maintain the effectiveness of the service during the change programme

##### **Human Resources**

The Human Resources department have a responsibility to:

- Support Line Managers and the organisation at all stages of the change programme
- Advise on best practice within the context of this policy
- Advocate a fair and transparent process
- Advise staff members, their representatives and key stakeholders on queries in relation to the change

##### **Employee**

The Employee has a responsibility to:

- Engage with the process including attending briefings, meetings and consultations
- Ensure understanding of communications circulated
- Raise their concerns, questions, queries when given the opportunity to do so
- Maintain a high standard of day-to-day working during the change programme

#### **5. Explanation of Terms**

The following terms will be used throughout the policy:

Staff affected by change	These are defined as any employee whose post, contracted hours of work, location or conditions of service may be affected by the change.
Consultation	Consultation involves listening and taking account of the views of employees and therefore this will take place before any decisions are made.
Redeployment	When a member of staff is moved or allocated to a different position and/or function or organisation as a result of the

## 6. Support

During a change programme there are various avenues that can be explored for support including:

### **Direct Line Manager**

Regular one to one meetings with your line manager will give you opportunities to discuss any personal issues and concerns you may have about the change. They will also provide you with the opportunity to discuss your preferences and options available to you as appropriate throughout any changes.

### **Other Sources of support**

Advice is available from your Trade Union Representative, Staff Council Representative, Occupational Health Department, Counselling Service and Human Resources.

## 7. Communication

Where there are proposals for organisational change, the need for good and timely communication is essential. Communication may be undertaken in different ways, for example, meetings, correspondence, newsletters, emails etc. Where significant organisational change is taking place it is helpful to agree a Communication Strategy with Staff Side representatives and Trade Unions so that communication is as open, transparent, responsive and effective as possible. This process will be led by an appropriate nominated senior management representative (who will be referred to as the manager throughout this policy).

The Communication Strategy should cover proposals, their potential impact, and the process of implementation throughout the change process, and should ensure that all appropriate staff are involved in these communications. Communication is a two way process and effective communication will be up as well as downward. Staff should be able to ask questions and provide comments and feedback throughout and at the end of the consultation process. As far as possible, communication will be verbal, backed up in writing where appropriate.

Both management and staff side will need to give consideration to the potential of the distorting effects of informal communications (i.e. the grape vine), and will need to take this into account when drawing up the communications strategy.

## 8. Consultation

- Where possible, consultation will take place whilst the proposals for change are still at their formative stage
- There are legislative guidelines on consultation timelines (depending on the size and potential outcomes of the change being proposed) and the appropriate consultation period will be outlined in any formal consultation papers. For any changes that may result in 20-99 redundancies, a minimum 30 day consultation is required, with 100 or more redundancies requiring 45 days consultation as a legal minimum.
- The organisation may decide when appropriate to run a consultation period longer than the legal minimum required to ensure a meaningful consultation can take place.

- The recognised trade unions will be informed of the staff that are likely to be affected
- Meaningful consultation with staff and representatives will involve:
  - Providing details of the proposed changes and adequate information on which to respond, normally in the form of a formal consultation paper
  - Allowing adequate timing in which to respond
  - Briefing affected staff on the proposed changes
  - Acknowledging and considering responses and giving timely feedback on the decision taken
- Where possible, the relevant manager will ensure that appropriate staff council representative and Trade Union representatives are briefed on the proposals and the associated timescales prior to any formal consultation paper being circulated. The purpose of this briefing will be to:
  - Explain the proposals.
  - Discuss the content of any consultation paper.
  - To set out the plan for sharing this information with affected staff.

## **9. Formal Consultation Paper**

A formal consultation paper will be drawn up by the manager to set out the options for the proposed change with its respective advantages and disadvantages. This consultation paper should invite comments, suggestions and feedback. It should also ensure that the implications of the proposed change are clear, including a clear plan with time scales for consultation feedback, review of the feedback, confirmation of the final proposals and proposed implementation plan.

A template consultation paper is available under appendix A.

## **10. Consultation Timescales**

- There may be times when the organisation cannot keep to these timescales, however where any variations to the consultation process are needed, these will be discussed and agreed with staff council representative and Trade Union representation.
- The formal consultation paper will be provided to all affected staff ensuring that there is enough time for staff to consider and respond to its contents. Where the proposed change(s) will not result in redundancy, a minimum consultation period of one month should apply unless management and the staff side agree otherwise.
- In the event of potential redundancies, consultation periods may be longer, particularly for numbers in excess of 100 staff. Please refer to the redundancy policy for further details.

## **11. Considering Feedback and Decision Making**

- When consulting on change the manager must be open minded and non-judgemental about the feedback received on the proposals and should be prepared to examine any alternative suggestions. If in the light of these, the manager significantly amends the proposal, a revised consultation paper should be re-issued and a further consultation period ensued.
- There should also be discussion with staff side regarding a date of implementation, which should then become the agreed date.

## **12. Implementing Change**

Following the end of the consultation period, the manager must issue in writing to each member of staff affected by the change the decision made and the reasons for this, including a brief explanation why any other options were not accepted. In addition the letter should confirm the implementation date for the change(s).

## **13. What do I do if I feel the process has not been applied appropriately?**

If you feel that this policy and procedure has not been applied or followed correctly you have the right to raise a grievance in accordance with the organisation's Grievance Procedure.

If you have been affected by other policies and procedures throughout the changes, your right to appeal or raise a grievance will be in accordance with the organisation's Appeals Procedure or Grievance Policy and Procedure.

## **14. Appeals**

You have the right to appeal regarding the procedure for filling posts using the organisation's Appeals Policy

## **15. Review**

This policy and procedure will be reviewed after 3 years or earlier at the request of either the staff or management side of the CCG Staff Council.



## **Appendix A – Formal Consultation Paper (Template)**

Meeting XXXXX to be held on XXXXXX at XXXX in the XXXXX

### **Purpose**

- Should outline who the paper is written for and brief explanation of what the changes are for example restructure, change in working pattern, change in location etc.

### **Background**

- Should detail the background of the services and the rational for changes.
- Current arrangements
- Should detail current arrangements/structure/skills mix etc.
- Proposed changes and options
- Should detail the proposed options for change to the services and implications of those changes for the service and staff.

### **Benefits**

- For each option, outline the benefits the changes will bring for the staff, service, patients (if applicable) and organisation etc.

### **Risks**

- For each option, identify any risks in terms of not implementing or implementing the changes.

### **Consultation / Feedback and Timescales**

- Process and method for consultation e.g. team meetings, 1 to 1s, feedback sessions, staff briefings to be carried out, date of commencement of formal

consultation, draft period of time for consultation. Ensure that there is a named person to whom feedback on the consultation document should be returned.

- Feedback can also be received via the Staff Council and/or HOT representatives.

## **Implementation**

- Proposed implementation date

## **Support available**

- Details of support available.

Name:

Date:

## **Appendix B – Organisational Change Procedure for Filling Posts**

This procedure will apply unless it is superseded by national or NHS England procedures in case of major NHS re-organisation.

### **1. Who will be Eligible to Apply for Posts?**

Only the following categories of staff who are affected by the change are eligible to apply for posts in the new structure through either slotting in or ring-fenced competition:

- Substantive staff of the organisation and staff on Fixed Term contracts (Note: this excludes staff on fixed term contracts due to maternity or sickness cover, or employed specifically as a result of the organisational change).
- Staff who fulfil the essential criteria as outlined in the person specification.
- Staff with a current basic salary within the following ranges of the basic salary of the evaluated post in the new structure:
- +/- 1 pay band, (or +/- 15% of salary for staff not covered by Agenda for Change terms and conditions).

Staff on secondment or acting-up will be considered on the basis of their permanent post, not their seconded/acting up role.

Employees who are on maternity leave have an automatic right to be offered suitable alternative employment (where available).

Eligibility for posts will be assessed by matching the content of the new posts to the functions carried out by individuals in their present posts (See Section 4 below).

### **2. What is the Appointment Process?**

The appointment process will involve a number of stages:

1. Preparation of job descriptions and person specifications.
2. Slotting in arrangements.
3. Ring fenced competition.
4. Internal (open) competition

5. External competition (staff at risk from other NHS organisations will have priority for interview, subject to meeting the essential person specification criteria, over other non NHS applicants).

## **1. Job Descriptions**

All posts will have a detailed job description and person specification. These will include the essential skills, qualifications, experience and qualities required of the post holder.

Changes to existing posts will be evaluated through the NHS job evaluation process. All new posts within the organisation will be desktop banded and can be reviewed at the request of the individual after 6 months.

Appointments to the new structure will be made level by level, starting from the top down. Staff at risk will not be considered for posts in the next level of the management structure until the first round of matching to that structure has been completed.

## **2. Slotting in Arrangements**

Where there is a single post in the new structure, which has a job description that is substantially similar (more than 50 % the old job) and where the present substantive and permanent post holder meets the minimum criteria as outlined in the person specification that person will be slotted in. The line manager and HR department are responsible for demonstrating that these criteria are met.

Where there is a post or posts in the new structure which clearly result from the merging of two or more posts from the old structure then those existing post holders will be the initial candidates for the new post or posts, irrespective of pay band. In this instance, ring-fenced competition will apply.

Where a person accepts slotting in, either as sole, initial candidate, or as a result of a job merger, then he / she will not be eligible for ring-fenced competition for any other posts in the new structure. However, he/she may apply for posts advertised in open competition after the ring-fencing stage.

This process will be monitored by the Human Resources Department. Any member of staff who feels that they have been incorrectly excluded or included for consideration for any post has the right of appeal as per the Appeals Policy.

## **3. Ring Fenced Competition**

Once slotting-in arrangements have been completed a further field of ring-fenced competition, restricted to those groups listed in section 1, will take place before the posts are opened to internal competition. This process includes the following:

- All eligible employees will receive a letter or other written communication from their manager, written in consultation with human resources, detailing the posts available to them. This will include job description and person specifications for each of the relevant posts.
- It will also include details of how to apply, the closing date and the method of selection. Job share applications will be considered for all posts unless otherwise stated.

- If applicants are applying (other than in open competition) for more than one post at any phase there will be no need to complete multiple application forms.
- A single standard organisational application form must be completed for all posts applied for, to be accompanied by a letter from the applicant listing the posts for which application is being made and, where appropriate, indicating an order of preference. Additional, relevant supporting material can be added when applying for relevant posts.
- Application forms must demonstrate how the candidate meets the essential criteria for the post. A reference will be required from the current line manager.
- All applicants will be considered for their preferences subject to their meeting the essential requirements of the person specification for the post, and taking further training into consideration where appropriate.

#### **4. Interviews**

- In circumstances where there are more posts than applicants and no conflict in expressed preferences, candidates may be offered the relevant posts with just an informal interview with the manager, provided they clearly meet the minimum criteria.
- Where there are more posts than applicants but expressed preferences do conflict, selection interviews will be held.
- Where there are more applicants than posts, selection interviews will be held.
- Short-listed candidates will be given reasonable notice of the interview date (approximately 5 working days, except in exceptional circumstances where a shorter amount of notice may need to be given) and every effort will be made to see all candidates on the same date or within a reasonable time thereafter.
- Reasonable adjustments will be made as required for applicants with disabilities in line with the principles of two ticks.
- Selection panels will consist of at least two people, at least one of whom is a trained interviewer and at least one will be a manager. The line manager for the post should chair the panel. External assessors may be used in exceptional circumstances.
- Interviews will be co-ordinated to ensure that the interview process is completed as swiftly as possible without unnecessary duplication of interviews.
- The Chair of the selection panel will also ensure that the conduct of the interview does not directly or indirectly discriminate against any individual candidate.
- The Chair will record the panel's findings and the reasons for the decisions reached on each candidate. All offers of posts will be confirmed in writing.
- Internal candidates who are unsuccessful at interview will be offered post-interview feedback.

#### **5. Internal (Open) Competition**

If appointments to vacant posts have not been made, staff who are currently at risk and eligible for redeployment will be considered in the first instance.

#### **6. Failure to Match Staff to Available Posts**

In circumstances where the process, described above, fails to match an individual to an available post the following arrangements will apply to staff who are therefore at risk.

- Staff who are not matched to posts in the new structure will be considered for alternative employment (redeployment)

- The individual will be consulted to identify scope for matching to suitable alternative employment
- Staff at risk will, when they apply, receive priority consideration for interview as a redeployee for all posts at or one below their current salary in the occupations agreed as suitable alternatives elsewhere in the organisation before these posts are externally advertised
- Any posts remaining vacant after the redeployment exercise has taken place will be subject to open competition.
- In exceptional circumstances where posts are newly created and it is demonstrated that no current employee meets the person specification, open competition will take place in the first instance

### **7. Protection of Pay**

Where an individual is appointed to a post at a lower salary, pay protection will apply in accordance with the organisation's policy on pay protection.

### **3. Redundancy**

If, after all internal processes have been exhausted including redeployment, a suitable alternative post has not been found, the organisation's policy on redundancy and the terms and conditions as outlined in the Agenda for Change handbook will apply.