

Livewell Southwest

## **Organisational Change Policy and Procedure**

Version No.3.5  
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### **Notice to staff using a paper copy of this guidance**

**The policies and procedures page of Intranet holds the most recent version of this guidance. Staff must ensure they are using the most recent guidance.**

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## Reader Information

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## Document review history

Version no.	Type of change	Date	Originator of change	Description of change
3	Review	January 2017	Human Resources	Review to reflect name change and to move from a Protocol to a Policy and Procedure.
3.1	Minor Update	February 2018	HR Policy Group	Minor update to reflect STP.
3.2	Minor update	May 2018	Workforce Policy Group	Section 5 and Appendix A and B
3.3	Extended	February 2020	Head of HR & Staff Wellbeing	Extended
3.4	Extended	January 2021	HR Admin	Extended
3.5	Extended	September 2021	Associate Director of HR & Engagement	Extended

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# Organisational Change Policy and Procedure

## 1 Introduction

- 1.1 Livewell Southwest is committed to fairness and equity and values diversity in all aspects of its work as a provider of health and social care services and as an employer of people. We constantly strive to build a workforce that is representative of the community it serves.
- 1.2 Livewell Southwest is committed to eliminating all forms of discrimination on the grounds of age, disability, gender reassignment, marriage / civil partnership, pregnancy maternity, race, religion or belief, sex and sexual orientation in the provision of our services and in recruitment and employment. This enables an environment that is characterised by dignity and respect which is free from harassment, bullying and victimisation.
- 1.3 Change within the organisation is an inevitable consequence of continually striving to improve services to patients/clients and/or in response to external factors such as legislative or policy changes or commissioning requirements.

## 2 Purpose

- 2.1 The organisation is committed to ensuring the impact of change and reconfiguration on staff is handled fairly, effectively and in line with agreed process. A key objective will be to minimise disruption and uncertainty to staff and services.
- 2.2 The organisation will strive to manage all change programmes in a planned, open and honest way in order to maximise the potential benefits and minimise any adverse implications for staff.
- 2.3 The organisation is committed to supporting staff throughout the process of organisational change by using the ability, qualifications and competencies of staff to best effect; by consulting and communicating effectively with staff involved through Trade Unions; listening carefully to the views of staff and taking into account their first-hand knowledge.
- 2.4 It is accepted that in exceptional circumstances where it can be evidenced/ demonstrated that there is an overriding strategic or operational need it will not be possible to follow this policy and procedure. In this case the fast track procedure outlined in Section 5.5 should be utilised.
- 2.5 This policy and procedure applies to all those employees who are managing change processes and all employees affected by organisational change. This does not apply to external TUPE or business transfers.

## 3 Definitions

For the purpose of this policy and procedure an organisational change programme is defined as:

- The closure, transfer or reconfiguration of a specific service or facility;
- The decision to accept a tender for a service previously provided in house; where TUPE does not apply.
- A response to statutory, NHS policy or commissioning requirement;
- Changes to the way services are organised and managed;
- Changes to working patterns to staff groups.

## **4 Duties & Responsibilities**

- 4.1 The **Chief Executive** is ultimately responsible for the content of all policies, implementation and review.
- 4.2 The **Director(s)** are responsible for ensuring awareness of policy processes and consistent application across the organisation of these arrangements.
- 4.3 Line Managers are responsible for:
- Ensuring that this policy is adhered to within their specified area, and should take consideration of it when undertaking relevant processes.
  - Ensuring that employees are made aware of this policy and understand the potential implications of processes in relation to it.
- 4.4 Employees must:
- Ensure that they participate and engage in any processes and in line with this policy.
  - Make their Manager aware if they require any additional support to participate in processes within this policy.

## **5 Process**

- 5.1 The process is outlined in a flowchart (see Appendix A).

### **5.2 Stage One**

The Lead Manager should complete the Organisational Change Checklist/ Proposal document (Appendix B) and submit to the appropriate Director. This will then be presented to Operations Performance Committee as part of a list of all open and current OD change programmes for Livewell Southwest. This will then be approved or further information will be requested.

### **5.3 Stage Two**

When approved, the proposal must then be taken to the Joint Committee for Consultation and Negotiation (JCCN) for wider discussion. As an outcome of the JCCN, the lead manager may then take the proposal to relevant staff groups for a two week period for staff to give further or updated comments, suggestions and concerns, if this is at the request of JCCN members. Otherwise proceeding to consultation as soon as possible is advised and this will be confirmed at the JCCN meeting.

The lead manager should undertake an Equality Analysis Checklist – see Appendix D.

#### 5.4 **Stage Three**

To commence formal consultation, approval must be given at the earliest JCCN. For the purpose of this policy and procedure, consultation will be defined as the exchange of views based on the general principle that the mere passage of information is not consultation and that it involves an opportunity to influence decisions and their application. It will include **information** in that all parties must be kept informed of relevant matters, and **negotiation** for the purpose of reaching agreement and avoiding disputes.

During the formal consultation period, the JCCN should receive monthly updates.

During this stage, consideration of STP opportunities will be checked where there is a potential for redundancy – consideration should be given to the STP clearing house vacancy management procedure. Please seek advice from an HR representative.

The consultation and discussion meetings will aim to:

- Ensure staff and their representatives have an opportunity to consider the impact of the proposals upon them as a collective staff group and individual circumstances, working practices, working environment and service outcomes within the given time frame.
- Discuss the organisational reasons and benefits for the proposed change
- Staff should feel able to express their views in a full and frank manner without fear.
- Staff should have copies of or access to all related material in relation to change. The exception to this would be third party documents where consent has not been given or information which may be considered to be commercially sensitive. Staff side reps should have access to this material under TU Recognition Agreement and procurement policy.
- Staff should have the opportunity to discuss their views privately to managers or staff side reps should they so choose.
- Managers should, as far as practicable, involve those staff who are temporarily absent from work (sickness, maternity leave etc.) in the

consultation process. There should be every opportunity in the consultation for staff to explore and discuss any alternative to the proposed change.

- Records relating to meetings and actions taken should be kept and made freely available to all staff engaged in the process and their representatives.
- Following the end of the consultation period the lead manager will undertake a careful review of the comments, ideas and views received from the staff affected and their representatives. The consultation document will then be updated and returned to the JCCN for discussion and agreement/ratification.

### **5.5 Fast Track and change to consultation periods**

It is accepted that in some circumstances the full process cannot be followed. In this case the proposal should be taken (in appropriate format) to a Director, who may authorise progression of the proposal on fast track.

The Director then has the responsibility to ensure the JCCN (via the JTUF Chair or Deputy) are informed immediately and have a copy of the proposal and a rationale for the change to be managed under fast track process, to facilitate staff side involvement at the earliest opportunity. This should also then be formally presented at the next JCCN meeting.

## **6 Training implications**

Training will be provided to Managers on their duties in relation to this Policy.

## **7 Monitoring compliance**

The effectiveness of this policy will be monitored through the HR Policy Group.

**All policies are required to be electronically signed by the Lead Director. Proof of the electronic signature is stored in the policies database.**

**The Lead Director approves this document and any attached appendices. For operational policies this will be the Locality Manager.**

**The Executive signature is subject to the understanding that the policy owner has followed the organisation process for policy Ratification.**

Signed: Director of Clinical Practice and Development

Date: 24<sup>th</sup> March 2017

## ORGANISATIONAL CHANGE AND DEVELOPMENT

### FLOWCHART

#### Stage One

Initial idea/problem/suggestion.

The lead manager should complete the Organisational Change checklist and submit to Operations Performance Committee to seek approval in principle to the suggested change (via relevant Director).

Once approval in principle has been granted, this will then need to be presented at the Joint Committee for Consultation and Negotiation (JCCN).

#### Stage Two

The manager should attend the **JCCN** to agree in principle to further exploration of the proposal.

The manager should then discuss the proposal with affected staff. Heads up or informal discussion may have taken place with staff already but no formal process should proceed until the paper has gone to JCCN or agreed outside this meeting by a Director.

Following this meeting -

Staff comments should be invited over a two week period, and subsequently incorporated into ongoing proposal documents. Additionally, the manager should seek further detail regarding the Organisational Change checklist including advice from relevant functions e.g. finance, HR, health and safety, planning, risk, governance. An Equality Analysis Checklist should be undertaken at this stage.

#### Stage Three

##### ***Formal Consultation Period***

- Commence formal consultation in a bespoke meeting for staff affected by the proposal, stating the start date and length of consultation. HR and Trade Union representatives to attend meeting.
- Present the proposal and update at the earliest opportunity to **JCCN**, including confirmation of the consultation start date as agreed at the Locality Steering Group,
- Update the JCCN on progress of consultation on a monthly basis.
- Where a potential compulsory redundancy situation exists, place staff at risk as appropriate and as per the Redundancy Policy.
- Following formal consultation, management should produce a final document outlining the proposal and the outcomes following the consultation period. This document should be presented for discussion at JCCN for agreement on next steps and final implementation of changes.

# ORGANISATIONAL CHANGE AND DEVELOPMENT CHECKLIST & PROPOSAL DOCUMENT

*This should be a working document for use by the lead manager at the proposal stage*

**Lead Manager:**

--

**Nature of Change  
(e.g. relocation of team, change of working pattern, closure of unit):**

--

**Checklist:**

What are the possible **financial** implications of the proposal:

--

Please tick to confirm advice from finance has been sought

--

What are the possible **workforce/HR** implications of the proposal:

--

Please tick to confirm advice from workforce/HR has been sought

--

What are the possible **governance, risk and health & safety** implications of the proposal:

--

Please tick to confirm advice from governance & risk has been sought

--

What are the possible **planning & estates** implications of the proposal, including any accommodation changes:

--

Please tick to confirm advice from planning & estates has been sought

--

Please tick to confirm Equality Analysis Checklist undertaken (& attach)

--

**Date of Operations Performance Committee approval:**

--

## ORGANISATIONAL CHANGE AND DEVELOPMENT CONSULTATION DOCUMENT - TEMPLATE

### Introduction

The purpose of this paper is to provide information to those staff employed by Livewell Southwest affected by the proposed implementation of... *[Describe briefly the proposed change and the reason for the paper – the checklist/proposal document may be attached to provide additional detail].*

### Background

*[Describe the rationale for and detail of the proposed change, how staff will be affected, proposed date for the change to take effect, options available for the changes etc.]*

*[Attach proposed new organisational chart or workforce information, where appropriate]*

### Scope

The staff that may be affected are likely to be:

Post	Grade	WTE

### The Consultation Process

The consultation process is designed to ensure that all staff affected by the change(s) outlined in this paper have the opportunity to express their views, comments and ideas in accordance with Section 5.4 of this policy and procedure.

Livewell Southwest is keen to ensure it is as flexible as possible during the consultation process. The consultation will last see Table 1 commencing from *[start date]* and concluding on *[end date]* through established mechanisms.

The consultation will take the form of group meetings for all staff to attend, ask questions and raise issues or concerns they may have. Consultation may then move to individual consultation on a one-to-one basis between staff and their manager to discuss more confidential or personal matters.

At any time throughout the consultation period an individual may raise comments, questions by contacting the consultation leads as follows:

- Lead Manager: *[Phone number & email address]*
- HR Manager: *[Phone number & email address]*
- Trade Union Representative(s)

# Timescales for Consultation

\* Fastrack – with immediate effect in the event of high risk areas, Safeguarding and or CQC mandates – including commissioner requirements of service changes linked to KPIs.

**TABLE 1 (ONE)**

<b>Timeline</b>	<b>Reason/criteria</b>
30 days	Majority of Internal changes – for example change to shift patterns, workforce planning and skill mix, service change in smaller teams
45 days	Larger numbers of staff (over 10) for changes as per above – key service changes
90 days	Large scale service changes – this will include reviews that involve external stakeholders during the consultation periods or the change to a contract by commissioner or external bodies

**NB – UNION REPRESENTATIVES REQUIRED BY STAFF MEMBERS AS PART OF THE CONSULTATION MUST THEREFORE BE RELEASED BY LINE MANAGERS – following full discussion having taken place on cover arrangements and clinical priorities.**

Monthly consultation forums will be set up for the purposes of the above consultations.

If all parties are in agreement consultation periods can be waived.

## **Representation**

Staff may be accompanied throughout the consultation process, including group and one-to-one meetings by a Trade Union representative or a work colleague. The Joint Trade Union Forum (JTUF) Chair will also receive a copy of this document.

## **What happens after the Consultation Period?**

Confirmation will be given to staff affected by the changes that the consultation period has finished and written details provided setting out the next steps in terms of implementation and completion of the project plan.

Name of Lead  
Manager:

.....

Signed

.....

Date

.....

**Form: Equality analysis checklist**

Title and asset number of policy:

1. This form has been prepared to help you consider equality issues within your work.
2. Will any of the following protected characteristics covered by the Equality Act 2010 (Equality Duty) be disadvantaged (workforce, service users or the public)?
  - Age
  - Disability - this includes physical and mental impairment
  - Gender reassignment
  - Marriage and civil partnership (but only in respect of eliminating unlawful discrimination)
  - Pregnancy/maternity
  - Race – this includes ethnic or national origins, colour or nationality
  - Religion or belief – this includes lack of belief
  - Sex (male/female)
  - Sexual orientation

If no, please insert rationale below:

If yes, please complete the following implementation plan below.

Issues identified	Actions required	Responsibility	By when

3. Date form completed: .....

Keep one copy for your records, and email an electronic copy to: [mariecoutts@nhs.net](mailto:mariecoutts@nhs.net)