

EAST HERTS COUNCIL

LOCAL JOINT PANEL COMMITTEE – 29 NOVEMBER 2017

REPORT BY SECRETARY TO THE STAFF SIDE (UNISON)

RESTRUCTURE CONSULTATION POLICY

WARD(S) AFFECTED: NONE

Purpose/Summary of Report

- Members are invited to approve the new restructure consultations policy

RECOMMENDATION FOR LOCAL JOINT PANEL:

Human Resources Committee be advised that:

(A)	Local Joint Panel supports the new restructure consultations policy and recommends this for approval.
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1.0 Background

1.1 Following a number of restructure consultations UNISON suggests that it would be useful to introduce a policy to enable managers to conduct future restructure consultations within a standard framework. No restructure consultation policy currently exists and at present, managers have no written guidance document for this process and rely instead on their own initiative and general advice from Human Resources.

2.0 Report

2.1 The policy has been devised to enable a fair and transparent restructure consultation process to be conducted to ensure compliance with best practice. It is important that the Council remains committed to full and meaningful consultation with UNISON and its employees and any change proposed should cover the proposals, the rationale for the proposed and the

proposed process for any change. There should be adequate time allowed for UNISON and affected employees to properly consider the proposals and for management to fully consider any alternatives suggested to facilitate “buy in” of a proposed change. This will necessitate management setting aside sufficient time to consider any and all observations and objections and to fully consider any alternative proposals put forward.

- 2.2 It is not within the scope of this document to consider the legal implications of consultation but to provide guidance to those initiating restructure consultations and key stages to be reached in sequence that UNISON believe will help all parties understand how they can participate and contribute more effectively and be able to manage and accept the process of change.
- 2.3 The policy enshrines the principles of genuine consultation and productive debate and also recognises the Council’s right and requirement to manage itself effectively and efficiently.
- 2.4 The policy will help to reassure staff and UNISON that points, suggestions and even objections can be processed as the consultation is conducted and also at its conclusion. It will provide reassurance that the process is being managed effectively and fairly to ensure consistency, legal compliance and good practice.
- 2.5 The policy includes a mechanism whereby if, or when, a restructure concludes that staff strongly object, rather than trigger a dispute, the restructure conclusion can be presented to Local Joint Panel for their observations with a recommendation to Human Resources Committee.
- 2.6 In order to try and reduce workloads on the HR team and UNISON volunteers, the policy suggests that restructures should be limited such that only one is attempted at any one time (e.g. within three months) to allow new processes to embed, manage change and to assess the impact of the new process on the Council and on staff. It will also reduce “restructure fatigue”.
- 2.7 In 2016 management embarked on a number of departmental restructure consultations some of which were not controversial and had little or no impact on staff, but UNISON objected to three restructure consultations – Planning, Democratic Services and Housing and Health. UNISON and staff objections were ignored with what UNISON considers have been subsequent negative consequences.

- 2.8 The objections were partly due to what staff and UNISON considered as uninformed or badly thought through changes largely conducted by managers with no understanding or professional knowledge of the service area or distinct specialism.
- 2.9 UNISON considers that staff (often professionally trained and qualified staff) are the ultimate source of knowledge of their own field of expertise. Generic managers should recognise this intrinsic knowledge held by staff in these situations. If management have very strong reasons for change, the proposed decision should at least be subject to scrutiny
- 3.0 The restructure review for Health and Housing was triggered by a restructure consultation which commenced in that department in November 2016. UNISON disagreed with the managers' restructure conclusion report and it was therefore suggested by the Head of Service that rather than trigger a formal dispute a 6 month review should be arranged. **Essential Reference Paper "C"** sets out the impact of the review of Housing and Health restructure as produced by UNISON.
- 3.1 The review UNISON conducted concludes that the restructure has not been successful and that part of the reason for this is because the staff and UNISON were not properly consulted with and their views were ignored.
- 3.2 A similar outcome has occurred in planning and to a lesser extent in Legal and Democratic services (2016) where staff and UNISON engaged with the consultation and submitted ideas, suggestions, clarifications to (factual) errors made by management and constructive criticism. In both these departmental restructures staff felt very aggrieved that they were disenfranchised and ignored and that detrimental changes were arbitrarily implemented. The difference with these restructure consultations is that managers did not suggest a 6 month restructure review.
- 4.0 Implications/Consultations
- 4.1 Information on any corporate issues and consultation associated with this report can be found within **Essential Reference Paper 'A'** and the Housing and Health restructure review as produced by UNISON

Background Papers

Housing and Health restructure review by UNISON

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