

Policy:

Organisational Change

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Summary of policy

This policy sets out the SHSC Policy on the management of organisational change affecting staff. The changes made to this version of the policy are summarised in the amendment log.

Target audience	All staff and their representatives
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Keywords	HR, Change, Restructure, Redundancy, TUPE, Redesign, Redeployment
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Storage

This is Version 5 and is stored and available through the SHSC Intranet/Internet. This version supersedes the previous Version 4, issued February 2022. Any copies of the previous policy held separately should be destroyed and replaced with this version.



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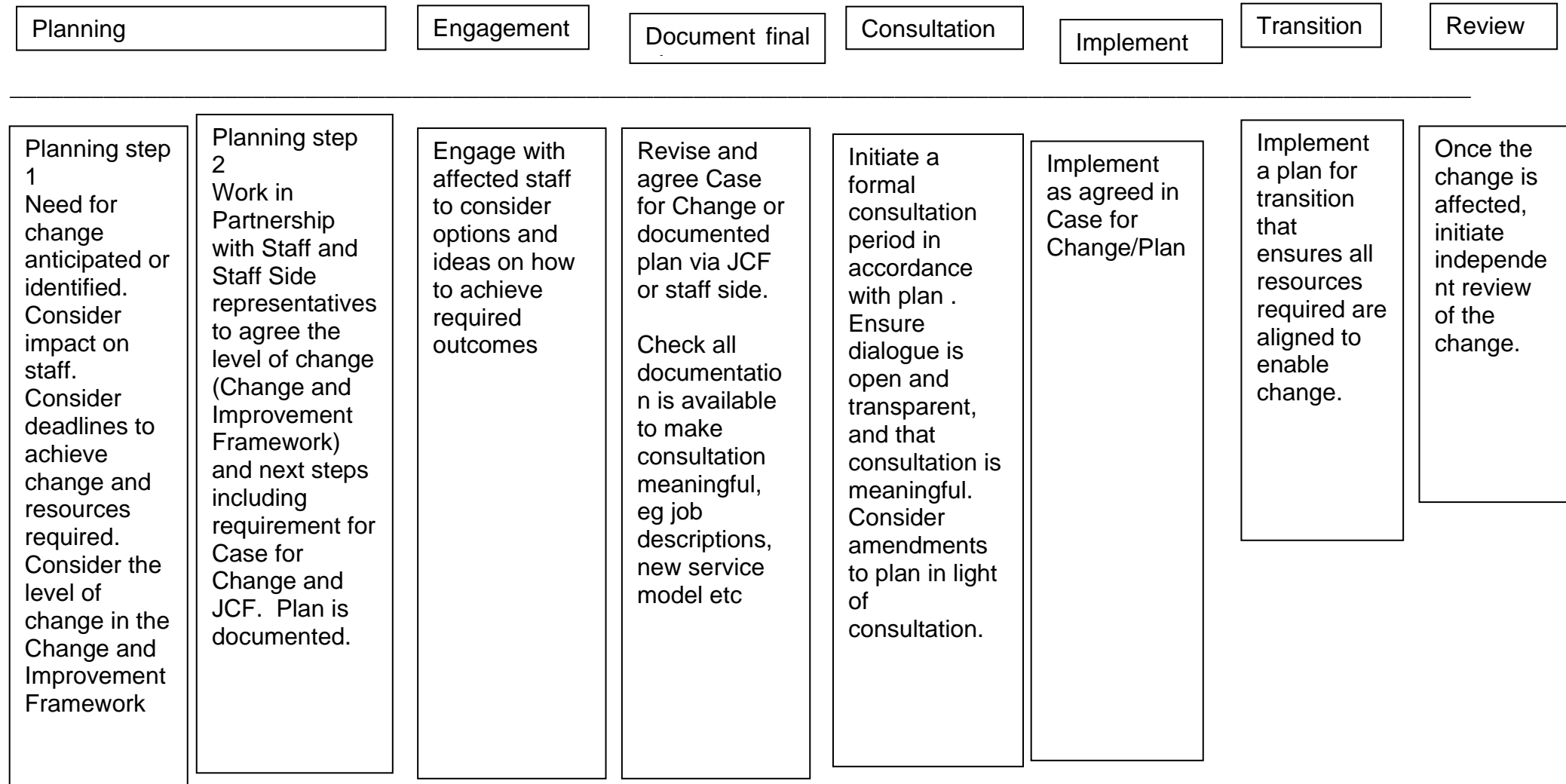
Version Control and Amendment Log

Version No.	Type of Change	Date	Description of change(s)

1.0	New draft policy created		~
2.0	Review	September 2010	This version was reviewed and updated in order to amend some errors in its contents and ensure that the Restrictive Practice Intervention Group (Chair) was satisfied with the content.
2.1	Review	October 2018	Minor review to update legislative changes and transfer to revised Policy Template
3.0	Review / consultation / ratification / issue	2018 to September 2019	<p>This version was reviewed and updated following a series of events to engage with staff and review change, including an external review of the CMHT organisational change process that took place in 2017. External review undertaken by Dean Royles, completed December 2019. This Policy has been produced in partnership with Staff Side representatives.</p> <p>Changes include –</p> <ul style="list-style-type: none"> - The introduction to the requirement of A Case for Change, which specifically assesses the impact on staff; - The introduction of a sign-off process to include Staff Side representatives which will involve discussion at SHSCSHSC's Joint Consultative Forum (JCF) for large scale change; - Removal of the 90 day consultation period and replaced with an agreement at the outset of consultation; - Detailed commitments to meaningful consultation; - The introduction of requirements around transition through change; - The introduction of the requirement to review change.
3.1	EDG comments	Jan 20	Review of redundancy paragraph(s). Amendment of external review to independent review
4	Additional guidance	Jan 22	Insertion of section 7.3 regarding Engagement and subsequent numbering amendment. 'The Trust' change to SHSC.
4	Review	Feb 24	Insertion of more considerations in planning stage of flowchart. Purpose – addition describes the opportunity for a reduced process in certain situations. Addition of a definition for "Engagement".

			<p>Refresh of other definitions in Policy. Clarity around Engagement – when this becomes unnecessary and minimum standards. Includes links to Change and Improvement Framework</p>
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Flowchart



1. Introduction

Sheffield Health and Social Care Trust regards its employees as its most valuable asset and aims to provide a stable work environment and security of employment for them..

This policy is developed in recognition that service innovation, improvement and change is essential to maintaining high quality services. However, if the process is not handled appropriately uncertainty created by organisational change can also damage morale and motivation amongst staff with negative consequences to service standards.

Therefore, this policy aims to ensure that organisational change is conducted through fair and consistent procedures that put communication with staff, listening to staff concerns and addressing staff concerns through consultation at the heart of the policy.

This policy will be underpinned by a commitment to transparency, information sharing and partnership working with Trade Union representatives.

The Policy shall reflect any changes or updates to legislation as they occur.

This Policy will align itself to the Change and Improvement Framework which will help to determine the level of change activity required.

2. Scope

This policy applies to all SHSC employees.

Employees of other organisations who carry out work within SHSC may also be affected by organisational change which takes place at SHSC. In this event consultation arrangements shall be made with the employer of the staff affected by the change in accordance with their organisation's own policies for change management.

Agency staff and others who work in SHSC, but are not employees (e.g. volunteers) are outside the scope of this policy. However, such individuals and groups shall be kept informed of change proposals, as appropriate.

3. Purpose

This Policy sets out the following principles by which SHSC commits to achieving change.

- Managers and employees will be involved in, contribute to and be kept informed at all stages of change.
- Open and honest communication will take place throughout change from the engagement, planning, consultation, implementation, transition and evaluation of organisational change
- SHSC will work in partnership with employees and Staff Side at all stages of change

- A Case for Change with appropriately scoped impact assessments (Including an Equality Impact Assessment) and appropriate governance sign off will support all permanent changes at levels 2 and 3 of the Change and Improvement Framework.
- Where there is a need for a change at Level 1, eg temporary change, a trial, or a change which can be managed via volunteers, the appropriate level of planning and consultation will take place in partnership with Staff Side.
- Those affected by change will receive practical and wellbeing support
- Consultation will be meaningful and relevant
- Implementation will be transparent and fair
- Transition will be recognised as a critical phase of change
- Each change will be concluded with a review and learning from change will be embedded into the change governance process. In the case of large scale change this review will be independent of the operational area.
- Change plans will take steps to mitigate against the risk of redundancy wherever possible

4. Definitions

Organisational change, for the purposes of this policy, is defined as any revision to the way in which a service is provided, which has significant implications for staff.

Some examples are:

- Relocation of service/s
- Changes in operating hours
- Merging services
- Closure of service or unit
- Provision of new service/s
- Expansion of existing service/s
- Restructuring / Reconfiguration / redesign
- Changes to skill and grade mix
- Transfer of services in or out of the organisation (e.g. TUPE/ outsourcing)

This list is not exhaustive.

Engagement: Staff will be made aware of the need for change prior to any plans being finalised or formal notification of change taking place. Wherever possible, this engagement should inform the development of the Change plan but it is accepted that this may not always be possible.

Consultation: Consultation is the process by which information, perspectives and ideas are shared in order to inform decisions about changes to service delivery.

Employees will also be consulted on the impact of the proposed change on them and ways in which any detriment to them can be mitigated against.

Consultation must be meaningful, and views submitted during consultation need to be considered and responded to within the consultation period.

In this policy consultation refers to consultation with employees and their representatives, regarding proposed changes to services.

Lead manager: means the manager who has overall responsibility for managing the change. This will usually be a Senior Manager. The lead manager may require a project group, or project manager to assist them.

Representation: Employees may be accompanied at individual meetings within the scope of this policy, by either a staff side representative or a work colleague from within SHSC.

Directly affected employees: means employees whose roles will be impacted on by the proposed change. This includes employees who are on secondment from their substantive role, or otherwise temporarily placed away from it, where their substantive role is directly affected.

Affected area: means work area which will be impacted on by the organisational change. How the affected area is defined will depend on the nature and scope of the change. E.g. team function, ward, and site. The affected area will be defined in the Case for Change.

At risk: means when it is expected that an employee's role may change significantly or cease as a result of organisational change.

Displaced: impact on the employee when their current role has ceased, or changed significantly due to organisational change.

Ring fence: defines employee's eligibility in the recruitment process. A 'ring fence' is specifically applied to an affected area where posts are at risk. This guarantees that employees whose roles are 'at risk' have the first opportunity to apply to vacant roles on a preferential basis, before any other applicants are considered. Where posts at different pay bands in the affected area are at risk, ring-fences shall be placed around each pay band. This means that in the first instance, only employees currently working at that band (or displaced from a higher band) and who satisfy the minimum selection criteria, shall be eligible to apply for vacancies within the affected area.

Pool: means the group of directly affected employees who are allocated within a 'ring fence'.

Receiving manager: means the manager of any identified, suitable vacancy. A 'receiving' manager would form part of the recruitment panel in this process.

'Slotting in': where a job role in the new structure is primarily the same (80% or more) as the one which is subject to change, job holders can be slotted into the new role provided there are enough vacancies. .

Limited competition: where the competition for a role is limited to those at risk or subject to substantial change.

Individual consultation meeting: Is a meeting that takes place with the employee (supported if they wish) and their line manager at which a discussion takes place about the impact of the change on the employee and explores options to minimise this impact. At this meeting a form may be completed outlining the skills/abilities of the employee, areas of job interest, etc to aid the redeployment process, although this can be undertaken outside of the meeting with support from Trade Union colleagues if appropriate.

Preferential interview : a selection interview for a vacant post where there is limited competition (see above), ie prior to advertising taking place . An individual must meet the essential requirements of the person specification to be offered a preferential interview.

Matching process: a meeting or series of meetings held when options for all directly affected staff have been identified. Chaired by the lead manager or their representative and attended by Human Resources. Staff side representatives should be kept informed of the process and outcomes of matching.

Substantive post holder: means either;

- 1) an employee who is the permanent post holder, or
- 2) an employee who, for the purposes of the formal consultation, may have the same rights as a permanent post holder. E.g. some temporary or fixed-term contracts, depending on the circumstances. Advice from Human Resources must be sought.

TUPE - Transfer of Undertaking (Protection of Employment) Regulations 2006 as amended by the collective redundancies and Transfer of Undertakings (Protection of employment) (Amendment) regulations 2014. This is a legal framework to be used when a change meets TUPE regulations and is designed to protect employees whose work is moving to another employer. This framework applies whether the transfer is into or out of SHSC.

Cabinet Office Statement of Practice: Staff Transfers in the Public Sector: January 2000 (revised November 2007). Provides a similar framework to TUPE for transfers between NHS providers.

5. **Detail of the policy**

This policy sets out SHSC commitment to deliver organisational change in a way which has minimum impact on staff and service users. It aims to ensure meaningful consultation in partnership with staff and trade unions and a fair and transparent process. The Policy is underpinned by a framework of guidance, a toolkit and support for managers and individuals subject to change.

6. **Duties**

The Board of Directors is accountable for:

- Commitment through the endorsement of this Policy
- Identification and allocation of any resources required by the Policy

The Chief Executive is accountable for:

- Ensuring the proper utilisation of the Policy through management arrangements.

Lead managers are responsible for:

- Ensuring the development of a clear and complete case for change.
- Ensuring that appropriate governance approval is given before embarking on organisational change (see scope and governance).
- Maintaining overall responsibility for conducting organisational change, within the framework of this policy and other related SHSC policies
- Working in partnership during organisational change and ensuring that effective and timely communication with staff side and trade union representatives is maintained.
- Clearly setting out the matters to be consulted upon, during the formal consultation period.
- Organising and conducting the formal consultation period, with support from Human Resources.
- Avoiding redundancy wherever possible.

Managers at all levels are responsible for:

- Managing their teams within the framework of this Policy, and other related SHSC, during organisational change.
- Contributing effectively to project groups and supporting the consultation process at the request of lead or project managers.
- Conducting individual meetings as required with SHSC employees, within the framework of this Policy, when requested to do so by lead/project managers.
- Provide an appropriate management response to staff queries, needs and concerns during change. 'Signpost' individuals to further support services where required (e.g. Workplace Wellbeing)
- Work in partnership with Human Resources and Staff side to deliver an effective change process.

Human Resources shall:

- Review and update this Policy, as needed in conjunction with staff side colleagues.
- Support the the organisational change process, as outlined in this Policy.
- Advise managers on workforce planning issues to support service restructure / redesign.
- Advise lead managers and managers (including project managers) about the
- consultation/change process within the scope of this Policy, related SHSC policies and current legislation. Work in Partnership with staff side during organisational change.
- Ensure that the Policy is adhered to.

Staff Side are responsible for:-

- Working in partnership to ensure the change is planned and implemented in the most robust but efficient way to avoid impact on staff and service users.
- Supporting any agreed plan via JCF or other appropriate forums
- Supporting good communication to staff before, during and after the change

- Attending group consultation sessions
- Liaising with individual Trade Unions to ensure that adequate resource is available to support staff through the agreed change, including individual consultation meetings.
- Participating in the evaluation of the change.

ROLES AND RESPONSIBILITIES FOR ALL INVOLVED WILL CONSISTENTLY AND CLEARLY COMMUNICATED WITHIN EACH CHANGE PROJECT.

7. Principles

7.1 Scope and Governance

The table in fig 1 sets out the Approval and Governance required where Change is identified as being beyond ‘normal management processes’.

Change is part of the operational norm and as such there will be cases where managers shall discuss the proposed change with those affected, in order to give information and seek their views, make decisions and implement the change without a formal consultation period. This shall only apply where all parties agree to the change and in practical terms is usually only possible with a small working group, where the impact of the change is not substantial. A similar approach can be followed if a change needs to be trialled.

For example: A small team agree amongst themselves, with their manager, that one of them will begin work half an hour earlier, on a rota basis, each Wednesday morning, in order to provide extended office cover on the busiest day of the week.

In such situations it is still expected that managers will engage with staff and Staffside colleagues and produce a plan for the proposed change. If deeper or more complex issues emerge during this process, or if posts become at risk managers should seek advice from Human Resources. It may become appropriate to begin a formal consultation process.

Fig 1.

Type of change	Scale / Parameters	Approval / Governance
Service Closure- Level	Decision taken to close a service.	Operational Governance Group for Directorate JCF Board /EDG for decision EIA completed Case for Change completed
Service transfer (TUPE)/ outsourcing - Level	Decision taken to cease delivery of a service or contract lost	Operational Governance Group for Directorate JCF EDG for decision EIA completed Case for change completed
Reconfiguration (including mergers) - Level	Change affecting a number of services impacting on the wider system	Operational Governance Group for Directorate JCF EDG for decision EIA completed

		Case for Change completed
Redesign - Level	Change affecting a service or team, usually to improve working practices / efficiency	Operational Governance Group for Directorate JCF EIA completed Case for Change completed
Location move – Level 1	Moving location only, no impact on organisational structure and responsibilities	Operational Governance Group for Directorate JCF for information EIA completed Case for Change completed

7.2 Planning for Change

A Case for Change should be developed at the outset of any proposed organisational change. This is an essential step that will form the basis for engagement and then consultation with staff, and provide data with which to measure the impact of the change on staff

A case for change should consider the SHSC values and how they will be upheld at all stages of organisational change.

The Case for Change provides a vehicle for the following aims and objectives:-

- Formally explain why an organisational change is needed.
- Explain what the proposed change is to affected employees.
- Provide opportunity for directly affected employees, and their representatives, to ask questions, make suggestions and consider alternatives regarding the change
- Make employees aware of the relevant policies and procedures which will be used during the change process.
- Agree processes to be utilised to manage the change eg defining the pool, agreeing the ringfence and selection criteria..
- Mitigate the impact of the change including redundancy should this be a possible outcome.

There are a range of tools available to support good change management. Strong change practice comes from adopting the tools and techniques of the NHS Change Model and with it the data that can be gathered.

<https://www.england.nhs.uk/publication/the-change-model-guide/>

The areas and topics listed below are not definitive. The suggested areas to cover should support the development of a compelling case for change and provide a reference point and resource of accurate data for decision making and action planning throughout the change.

The outline of the case for change is provided in the supporting Change Toolkit, but should include as a minimum.

- An analysis of the current situation
- The rationale for change
- Outline the organisational benefits
- Any Options that have been considered
- Resource implications
- Impact on staff (including the Equality Impact Assessment)
- Timescales
- An overall view of the impact of the change.
- How it is proposed that change will be achieved, including the resources required to deliver the change effectively

7.3 Engagement

This is the earliest stage of the process and should commence as soon as the need for change has been identified. However, sometimes it is necessary to complete certain parts of the governance process, before any communication is possible.

Engagement involves communicating with affected staff about a proposed organisational change with a view to building and finalising a comprehensive Case for Change. Engagement should be informal.

The manager responsible for the change initiative will lead engagement activity.

The engagement stage of organisational change happens early in the process. A manager is likely at this stage able to describe broadly what change is wanted and why. Engaging with affected teams and people is a significant part in the journey; discussing what the change may mean for individuals, teams, and services and what may be different day to day once the proposed change takes effect is important.

It is essential therefore that the manager is fully prepared for any engagement activity; and be in a position where they can clearly articulate outlined reasons for proposed change. From the outset of any discussion/engagement activity there must be a clear purpose, rationale, and future initial view communicated where people can understand how to build from this.

In cases where the change is outside of the control of SHSC, eg loss of contract leading to TUPE transfer, it may be appropriate to move straight to the consultation stage of the process

7.4 Consultation

7.4.1 Meaningful consultation

Following initial planning, the development of a Case for Change and any associated engagement, formal consultation with employees and their representatives will commence.

Consultation is a process of jointly examining and discussing issues of mutual concern and interest, meaningful consultation goes beyond communication and whilst the final decisions

must lay with management the consultation process will actively seek to try and reach agreement.

Consultation must:

- Take place at the earliest opportunity
- Provide all the information available
- Be inclusive
- Be transparent and conducted in good faith

The formal consultation process shall meet legal minimum timescales where there is a potential for employees to be at risk.

The duration of the consultation period shall be discussed and agreed with Staff Side representatives and documented in the Case for Change. Consultation can be extended as necessary to complete an effective change process.

Implementation will not normally take place until consultation has ended but sometimes this can be a staged process, especially where changes might need to be trialled.

Where redundancies are anticipated procedures outlined in the Redundancy Policy shall be followed.

7.4.2 Partnership working during consultation

Working in partnership with our employees and Staff Side representative is vital to the successful management of change. Staff side will be kept informed and consulted with throughout the change process.

As much information as possible will be provided to Staff Side **Chair** at the earliest opportunity, when it becomes known that change is reasonably likely to occur.

The Case for Change will be an agenda item on the Joint Consultative Forum (JCF) and/or Joint Local Consultative Committee (JLNC) if medical colleagues are affected. It is expected that there will be a continuing dialogue with Staff Side throughout the consultation period and where alternatives are presented from employees or staff side a management response will be provided before the end of the consultation period.

7.4.3 Communicating with staff

The formal consultation period shall commence on a specified date, and all affected employees shall be notified of this by an individual communication, which will.

- Outline of the proposed changes and why they are needed.
- Start date, intended duration and content of the formal consultation period.
- Notification that relevant Staff Side representatives have been informed.
- Notification where Staff Side shall be involved in the consultation and when employees may be represented by their Trade Union or a work colleague.
- 'Consultation pack' of documentation e.g. copy of the consultation plan, proposed new structure charts, proposed new job outlines or draft job descriptions and other

information as appropriate. (note final job descriptions will be confirmed before implementation begins, this includes any Agenda for Change evaluation required), Supporting Staff Though Change information sheet. The documentation can be uploaded to a Share Point facility for ease of access and updating.

- Selection processes/criteria proposed, where appropriate.
- Referral to relevant policies.
- Projected implementation date for the change.
- Staff Support mechanisms and resources plus details of any planned interventions

7.4.4 Staff absent from work

All staff affected by change will be consulted with regardless of whether they are at work or not. Managers will ensure that any employee not at work immediately prior to /during the consultation period is, as far as reasonably practical, involved in the consultation process to the same extent as those employees physically present. (for example staff on secondment, maternity leave, annual leave, career break, sickness absence, or active service in the armed forces).

The legal rights of staff who are absent will be observed during the consultation process.

7.4.5 Consultation plan

The consultation plan should include:

- an outline, as appropriate, of the aims of the formal consultation
- dates and constitution of group meetings
- key milestones in the change process (e.g. the date when further information may be known)
- communication with indirectly affected individuals or groups e.g. teams which interact with the affected areas.
- communication with the employing organisations and the Staff Side representatives of individuals working into SHSC but employed by another employer e.g. Sheffield City Council employees.

7.4.6 Process for formal consultation

The formal consultation period shall typically comprise a mixture of group and individual consultation meetings. The schedule of these meetings will be set out in the consultation plan and should ensure that all directly affected employees are involved.

Group Consultation meetings

Each directly affected individual shall be afforded the opportunity to attend at least 1 group meeting. This will be an opportunity to explain the case for change and to receive feedback and challenge on the proposals.

As the consultation process moves on, group meetings are a way of updating employees on the progress of the change process, discussing any issues, and continuing to involve employees in the planning and implementation of the change. The meetings also provide further opportunity for employees to raise queries.

Individual consultation meeting

Employees may find that the group consultation sessions and/or supporting documentation provided is enough to clarify the impact of the change on them. However, each employee will be advised of their entitlement to an individual consultation session and how to book one if they need to. The aim of individual consultation meeting is to provide opportunity for directly affected employees to discuss how the proposed changes affect them, and to raise any queries that relate to their individual situation.

Individual meetings will be chaired by the Manager or Project Manager as appropriate. Employees have the right to be accompanied by a Trade union representative or work colleague from SHSC. A Human Resources representative may also attend the meeting. Sometimes employees may prefer to meet in small numbers with colleagues who are similarly affected, and this can be organised.

Responding to feedback

All feedback and questions should be responded to in a timely way and a response to feedback should be shared as part of the consultation process.

Feedback will cover a response to any alternative proposals, any changes made to the proposal or a rationale for rejecting alternatives. The time to consider and respond to feedback should be factored into the Change timetable.

7.5 Implementation

The implementation of change shall commence once the consultation period is concluded, should be proportionate to the scope and scale of change and will be dependent on the impact the proposed changes have on staff. Each implementation process will be confirmed as part of the consultation and in conjunction with Staff Side, when it is known the impact of the changes on staffing.

Staff have the right to representation at individual consultation meetings by a trade union or work colleague and where possible this will be a planned approach with agreed timeslots.

The implementation process will take into account of:

- Reducing the risk of redundancy, for example
 - by utilising vacancies across SHSC as they arise
 - restricting recruitment in areas with potential for risk
 - restricting bank and agency usage
 - giving 'at risk' staff priority of consideration from the point it is known there is not a suitable post available.
 - Using temporary and fixed term contracts to safeguard permanent staff members
- The gap between the old and new organisational structures, including whether there are new jobs and how these will be recruited to. Any new jobs or changes to job descriptions should be assessed/graded by the job evaluation scheme before commencing implementation.

- The ringfence and the pool of affected staff
- The training needs of employees affected by the change.
- Legislative requirements in the case of TUPE.

Allocating posts within a new structure:

Once consultation is concluded, either at the end of the agreed period of consultation or earlier if agreed with Staff Side the agreed mechanisms for allocating posts will commence. This can include the following:-

Preferencing process or meeting - Affected employees will receive a written communication to ensure they know and understand the options available to them and the processes involved to confirm appointments into a new structure.

A template form for individuals to complete is available in the Change Toolkit for Managers. This can be completed independently of a meeting or during the individual consultation session. The form encourages affected employees to identify the range of skills and knowledge that they have available, and which of the opportunities on offer they may be interested in. In addition any restrictions should be noted at this time, eg unable to work night shifts, unable to work in a specific part of the city – as appropriate to the change and options available.

The information from this process will be considered by a panel, including the Manager leading the change and HR. The purpose of the panel is to determine the way in which employees are allocated or appointed to suitable alternative posts, or to recruitment pools, using the procedures outlined below.

In the first instance, substantive post holders who are at risk of being displaced from their post, due to organisational change, will be expected to consider any suitable alternative role (or roles) in the new structure, at their current band. ('Suitable alternative employment' shall be defined by the criteria in appendix X.) Where a suitable alternative post in the new structure, at the current band is available, the processes of 'slotting in' followed by 'limited competition' shall apply, as outlined below.

Slotting in

'Slotting in' shall apply where the substantive duties of the directly affected employee are wholly or mainly the same in the new structure as they were in the old, and where no other staff in the same role are displaced. 'Slotting in' shall not apply to 'acting up' arrangements or secondments.

The following criteria should be met before 'slotting in' employees to posts:

- 80% or more of the old/existing role is reflected in the new role and,
- the post holder is the only suitable candidate (within the 'ring fence') for the post, and
- is a substantive post holder (see Definitions), and
- the job remains at the same pay band, and
- the employee has the minimum qualifications and experience required for the new post.

Where the above criteria exist, individuals will be automatically slotted into roles within the new structure, without detriment to their terms and conditions and shall not be required to be

interviewed for the post.

Where slotting in is applied, the employee shall be notified of this in writing and this shall be regarded as an offer of suitable alternative employment. The right to a trial period or other protection arrangements will apply.

Limited competition:

Limited competition shall apply where there is:

- more than one eligible employee potentially suitable for the post within the 'ring-fenced' area, and/or
- the post is new in content and/or carries substantially increased or changed responsibility
- Competition for posts shall apply in the first instance to employees who are directly affected by the change, and
 - are within the 'ring fenced' area, and
 - who have the same band as the new role
 - satisfy the minimum selection criteria

Limited competition shall normally begin with the highest pay band first, then cascade down.

Limited competition may also include employees who have not been appointed at a higher pay band within the same ringfence

Where an individual is appointed to a lower band in the new structure (than their band in the old structure) they shall be subject to payment protection, as outlined in the 'Protection of Pay and Conditions of Service Policy'.

Exceptionally, a drop of 2 bands may be considered if there are no posts in the band immediately below, within the new structure. However, this shall only be at the agreement of the individual, staff side and management. (note if a grade drop of 2 pay bands is exceptionally agreed the individual will remain on redeployment at their substantive pay band whilst receiving pay protection.)

Where limited competition applies, employees who have expressed a preference for a role will have an interview, and will be notified of this along with details of the selection process, in writing.

Lead managers shall ensure that employees have a reasonable period of time to prepare for any agreed selection process.

Where an individual is successful within 'limited competition', the employee shall be notified of this in writing and this shall be regarded as an offer of suitable alternative employment

Allocation to a suitable alternative role outside the ringfence:

There may be situations where employees have not identified a suitable post within the ringfence or the revised structure does not have any / enough new posts available for employees who have been displaced from their substantive role, (e.g. service closure). In such circumstances where posts within a new structure are not available to an employee, the lead manager shall next seek to identify posts across SHSC which may provide suitable alternative employment.

Potential roles to be allocated to at risk/displaced employees may include temporary, fixed term or secondment roles, where permanent vacancies are not available in line with the Redeployment Policy

Where potential vacancies are identified these will be managed and priority given via the Redeployment Policy.

Where a separate organisational change is occurring in the same timeframe, this may result, in the pool of limited competition being extended to include other affected employees displaced by organisational change. The extent of a ringfence will be agreed with Staff Side and notified to JCF as part of the oversight of change management.

Preferential interview:

Where employees qualify for 'limited competition' for posts, they will be entitled to a preferential interview for the specified posts. I.e. recruiting managers will interview all candidates in the pool and will not conduct any short-listing prior to interview.

Volunteering for redeployment.

Where there are more people than posts volunteers may be sought for redeployment. Where an individual volunteers and it is agreed that this will reduce the number of "at risk" employees all pay protection and redeployment entitlements will be preserved. In addition volunteers will be offered posts in line with the redeployment policy and guidance around suitable alternative employment.

Trial Period:

Where an offer of suitable alternative employment has been accepted, the employee is entitled to a trial period of a minimum of 4 weeks.

Trial periods, along with the specific objectives of the trial, should always be agreed in writing, specifying the employee's terms and conditions and the date on which the trial begins and ends.

The Receiving Manager must ensure that there is ongoing supervision and support for the employee during the trial period and the employee's progress must be continuously assessed against a pre-set training plan, job description and/or objectives.

A thorough review of the success of the trial period must be undertaken, in consultation with the employee concerned and their representative, before the end of the trial period. However, if during the trial period, it is clear that this post is not a suitable alternative, the trial period may be terminated early, (but not before the minimum period of 4 weeks has been completed).

Where the employee requires training for the new post, the trial period may be extended up to a total of twelve weeks, by agreement. Trial periods may also be extended; at management discretion to take account of factors such as pre-arranged annual leave, for staff who work part time and other extenuating circumstances approved by the Head of Service.

Managers must seek advice from Human Resources Business Partnering Team.

Other Options:

Where all the processes outlined have been exhausted, or are not appropriate in the circumstances, the Lead Manager must consider any other available options, including redundancy.

7.6 TUPE consultation:

During organisational change where it is expected that some or all of the directly affected employees will transfer with the service, depending on if they are 'assigned' to such a service or not whether TUPE applies will be determined by the legal provisions of TUPE or equivalent*.

In this situation, the specific timescales, arrangements for consultation and transfer of information required under TUPE or equivalent* shall supersede any practices used by SHSC during other types of organisational change. Managers should seek Human Resources advice at the earliest opportunity where it is anticipated that TUPE or equivalent* shall apply.

* Cabinet Office Statement or Practice: Staff Transfers in the Public Sector: January 2000 (revised November 2007) re: transfers of employees between NHS organisations.

However, the principles of this policy shall apply to the manner of consultation expected i.e. communication with Staff Side representatives and employees.

Employees who are expected to transfer out of SHSC may make applications as internal candidates, for vacancies advertised by SHSC, (up until the date of transfer) but the redeployment priority of consideration will not be applicable to outgoing employees.

7.7 Transition

The period following implementation can be upsetting and difficult both for staff who have successfully been allocated or appointed to a new post as well as those displaced by the process.

Once the implementation date is confirmed, that is that all staff are appointed to posts in a new structure or a new way of working has been confirmed there will be a date for implementation or 'go live' to ensure a successful implementation of a change all processes will be required to plan for a transition period leading up to the 'go live' date

The management of the transition period must be set out in a plan to take account of:

- The management of staff displaced as a result of change
- The Development plan to support staff affected by the change (Skills need analysis and training needs)
- Vacancies and interim resourcing needs
- Alignment of other resources to the Change (for example buildings, infrastructure, communications to stakeholders and partners)
- An Equality Impact Assessment

7.8 Review

Once a change is implemented a date will be set for review. This will normally be between 6 and 12 months depending on the size and impact of the change.

Reviews will normally be undertaken or overseen by an independent manager from within SHSC, however there will be times when to ensure as greater degree of independence as possible an external reviewer will be engaged.

The criteria for review will be agreed at the end of the implementation phase and as part of transition planning with staff side.

In addition to the criteria for review managers will also agree the measures to be used to assess success. For example, SHSC wide measures such as the LIA Pulse check or Staff Survey, and local measures such as feedback from staff and Staff side. SHSC is committed to learning from change and to taking action on recommendations and feedback from each review.

8. Development, consultation and approval

This Policy was originally developed following a series of consultation, process and experiential review interventions led by the Deputy Chief Executive, Head of Clinical Operations, HR Business Partner and Staff side. Staff and Managers across SHSC were consulted through the Learning from change (May 2018) event, Microsystems process mapping (March 2019), and an external review of the experience of change (December 2018). The Policy was co-produced with Staff Side

As a result of consultation, the Policy was amended as follows:

- To provide greater clarity on the expected stages of change and what is expected to happen at each stage
- An overall move from process to principles
- The introduction of the requirement for a Case for Change for every change, to reflect an assessment of the impact of change and incorporate the equality impact assessment
- The separation of the Consultation and Implementation phases of change
- The introduction of the transition phase from old to new
- The introduction of a requirement to undertake an independent evaluation post change

The review of the Policy has been influenced by feedback from Policy users, eg managers, staff, HR and Staff side colleagues, together with learning from a range of different processes undertaken during 2023, ie closure of Firshill and Buckwood View, TUPE transfer of Substance Misuse Services, transformation of Community Mental Health Teams, Community Learning Disability Services and Primary Care Mental Health transformation, including the formation of the new Urgent and Crisis service.

Consultation has also taken place with Staff Network Groups, Joint Policy Group, and People Directorate Governance Group.

9. Audit, monitoring and review

Monitoring Compliance Template						
Minimum Requirement	Process for Monitoring	Responsible Individual/group/committee	Frequency of Monitoring	Review of Results process (e.g. who does this?)	Responsible Individual/group/committee for action plan development	Responsible Individual/group/committee for action plan monitoring and implementation
Consistent completion of Case for Change	Review	JCF	As required	HR Business Partner	HR Business Partnering Team	JCF
Evaluation of Case for Change	Review	Project Group	Within 6 to 12 months as designated in Case for Change	HR Business Partner	HR Business Partnering Team	People Committee

The policy review date is 30 September 2027.

10. Implementation plan

Action / Task	Responsible Person	Deadline	Progress update
Upload new version to intranet and internet	Communications Team via Corporate Governance	End of September	
Brief HR Advisory team	Author of policy		
Update training for manages	HRBP Team	End of October	
Support programme in place for Managers leading change	HRBP Team	As required	

Brief Senior Operational Managers across SHSC	HR and Staff Side joint briefings	End October 2024	Roll out of briefings to teams – HR, in partnership with Staff Side.
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11. Dissemination, storage and archiving (version control)

Version	Date on website (intranet and internet)	Date of entry in Connect (all staff communication)	Any other promotion/ dissemination (include dates)
1.0	~	~	~
2.0	September 2010	~	~
2.1	October 2018	~	~
3.0	October 2019	October 2019	Brief HR Advisory team Support programme in place for Managers leading change Brief Senior Operational Managers across SHSC
3.1	February 2020	February 2020	
4	February 2022		Jarvis

This is Version 5 and is stored and available through the SHSC Intranet (Jarvis).

This version supersedes the previous Version 4 February 2022.

Any copies of the previous policy held separately should be destroyed and replaced with this version.

All versions of HR policies are stored on the HR Shared Drive by the policy author and the PA to the Executive Director of People.

Word copies of final versions of policies can be obtained from Policy Governance via the PA to the Executive Director of People .

Equality Impact Assessment Process and Record for Written Policies

Stage 1 – Relevance - Is the policy potentially relevant to equality i.e. will this policy potentially impact on staff, patients or the public? This should be considered as part of the Case of Need for new policies.

NO – No further action is required – please sign and date the following statement.
I confirm that this policy does not impact on staff, patients or the public.

I confirm that this policy does not impact on staff, patients or the public.
 Name/Date: SEE BELOW

YES, Go to Stage 2

Stage 2 Policy Screening and Drafting Policy - Public authorities are legally required to have ‘due regard’ to eliminating discrimination, advancing equal opportunity and fostering good relations in relation to people who share certain ‘protected characteristics’ and those that do not. The following table should be used to consider this and inform changes to the policy (indicate yes/no/ don’t know and note reasons). Please see the SHSC Guidance and Flow Chart.

Stage 3 – Policy Revision - Make amendments to the policy or identify any remedial action required and record any action planned in the policy implementation plan section

SCREENING RECORD	Does any aspect of this policy or potentially discriminate against this group?	Can equality of opportunity for this group be improved through this policy or changes to this policy?	Can this policy be amended so that it works to enhance relations between people in this group and people not in this group?
Age	No	No	No
Disability	No	No	No
Gender Reassignment	No	No	No
Pregnancy and Maternity	No	No	No

Race	No	No	No
Religion or Belief	No	No	No
Sex	No	No	No
Sexual Orientation	No	No	No
Marriage or Civil Partnership	No		

Please delete as appropriate: - Policy Amended

Impact Assessment Completed by:
Debra Butterworth, HR Business Partner 30 September 2024

12. Training and other resource implications

All managers leading change will receive development to support the principles of this policy.

13. Links to other policies, standards, references, legislation (associated documents) and national guidance

Redeployment Policy

Redundancy Policy

Protection of Pay and Conditions of Service

Location Flexibility Allowance Agreement

Transfer of Undertaking, Protection of Employment (2006 amended 2014)

Employment Rights Act (1996)

Change and Improvement Framework (See below)

14. Contact details

Job Title	Name	Phone	Email
HR Business Partner	Debra Butterworth		Debra.butterworth@shsc.nhs.uk
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HR Business Partner	Maria Jessop		Maria.jessop@shsc.nhs.uk
Staff Side Representative	Julie Marsland	0114 2718345	Julie.Marsland@shsc.nhs.uk



Change and Improvement Framework

- three levels of change
- based on complexity, risks and costs

