

**CARLISLE  
CITY COUNCIL**



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## **REPORT TO: THE EMPLOYMENT PANEL**

**Public**

**Date of Meeting:** 9th July 2009

**Title:** TRANSFORMATION PROGRAMME: RESTRUCTURE  
PROPOSALS - CONSULTATION WITH THE EMPLOYMENT  
PANEL

**Report of:** Town Clerk & Chief Executive

**Report reference:** CE 15/09

**Summary:** The meeting of the Executive on 16<sup>th</sup> June approved a number of recommendations, one of which requested the Employment Panel to consider the restructure proposals contained in the report to the Executive. Recommendations and comments from the Employment Panel, together with those from the three Overview & Scrutiny Panels will be submitted to the Executive meeting on 9<sup>th</sup> July (same day), prior to submission of a recommendation to the meeting of the Council on 14<sup>th</sup> July 2009.

The Employment Panel will have a central role in the restructure process should the restructure proposals be approved by Council.

### **1.0 Questions for / input required from the Employment Panel:**

1.1 Members are asked to comment and make recommendations to the Executive based upon the report of the TCCE on the Senior Management restructure element of the Transformation Programme.

**Note:** in compliance with section 100d of the Local Government (Access to Information) Act 1985 the report has been prepared in part from the following papers: None

## **2.0 Role of the Employment Panel**

2.1 The Employment Panel will play a central role in the restructure process and this will involve:

- Delegated authority (if approved by Council on 14<sup>th</sup> July) to approve the final details of any severance agreements to be entered into with postholders affected by the restructure proposals following recommendations made by the Town Clerk & Chief Executive.
- To consider recommendations made by the TCCE in relation to those managers whose current post matches a new post in the structure
- To consider appeals by managers against classification following any matches and new posts in the new structure
- The selection process for the new Strategic Director and Strategic Manager posts. The full process will include informal interviews, assessment centre and formal interviews by the Employment Panel. Their recommendations to be submitted to full Council for approval.

2.2 Training and support will be given to Members of the Employment Panel in all aspects of their role in the restructure process.

## **3.0 Consultation**

3.1 Consultation with staff, elected Members and the Trades Unions is a crucial part of the restructure process. Details of the responses (up to 29<sup>th</sup> June) are attached (Appendix 1). Members of the Employment Panel will be updated of further consultation by the TCCE at their meeting on 9<sup>th</sup> July 2009.

**Contact Officer:** Maggie Mooney

**Ext:** 7001

**CARLISLE CITY COUNCIL**  
**TRANSFORMATION PROGRAMME – PROPOSED RESTRUCTURE**

**CONSULTATION WITH STAFF**  
**(AS AT 29<sup>th</sup> June 2009)**

**1.0 INTRODUCTION**

1.1 Consultation with staff has taken place in a number of ways, to encourage maximum participation. All discussions and briefings have been very helpful in both understanding staff's concerns and considering their positive comments and ideas.

1.2 To date, staff have been consulted in the following ways:

- Two separate meetings with the Senior Management Team (18<sup>th</sup> May 2009) and Heads of Service (19<sup>th</sup> May 2009)
- Individual meetings with members of the Senior Management Team and Heads of Service (the details of these meetings are confidential and on-going)
- Management Briefing – 3<sup>rd</sup> June 2009
- Individual meetings with members of staff and these are on-going
- Meetings with staff teams and to date these have included: Community Services staff based at Bousteads Grassing; Legal & Democratic Services; Development Services; Museums & Arts teams; Housing team; Bereavement Services. Further meetings have been scheduled.
- An intranet site 'Comshare' has been set up to enable staff to comment and ask questions about the restructure, to which the TCCE has responded.
- Update e-mails are being sent to all staff and this is on-going
- Discussions at the final four "Future Focus" sessions (as part of the 'City First' staff development programme)

1.3 Consultation with the Trade Unions, through the CJC, has taken place (10<sup>th</sup> June 2009)

1.4 If Council approves the restructure proposals on the 14<sup>th</sup> July, formal consultation with the staff affected by the restructure and the Trades Unions will begin on the 15<sup>th</sup> July.

**2.0 COMMENTS MADE BY STAFF TO THE CONSULTATION**

2.1 The majority of the responses made by staff can be grouped into the following areas:

I. **Rationale for the restructure**

- the majority of the staff consulted agreed that a review and restructure of the Senior Management team was appropriate at this time
- Some staff felt concerned that the new Senior Managers would be required to "be strategic" and felt that staff benefitted from Senior Officers being involved in the operational work of the Council
- All staff recognised and understood the need to make significant efficiency savings and acknowledged that further savings would have to be made.

II. **The Proposed Structure**

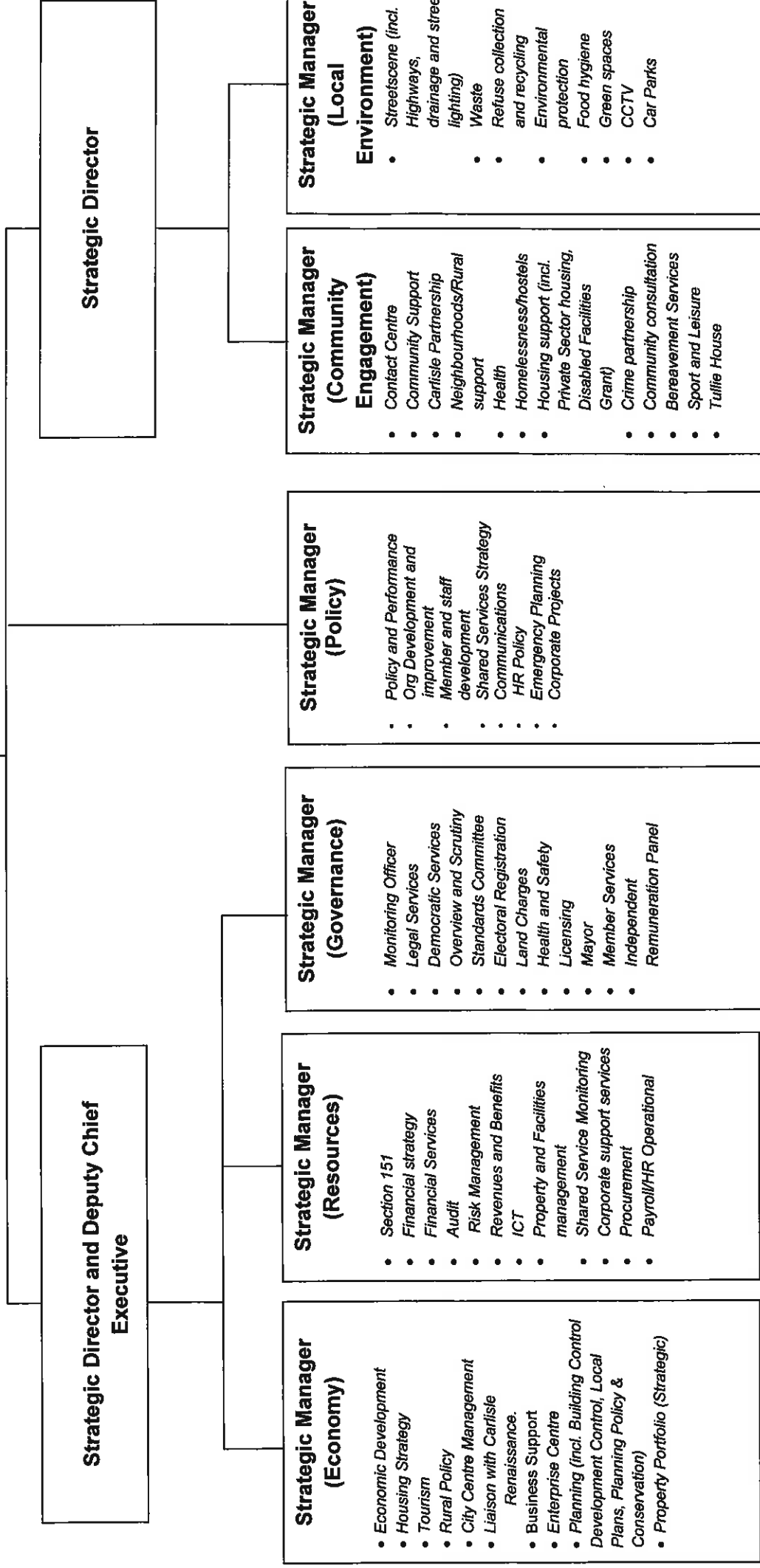
- Some staff felt said that they would have welcomed being involved in drawing up a draft of the proposed structure before the first draft was being considered.
- Related to the above – at least three members of staff felt concerned about the 'final draft' – did it mean it was still open to changes or was it something already decided
- Some staff felt that the restructure was a valuable opportunity to align the services to the emerging priorities and to the Executive through the Portfolio Holders
- A number of staff felt that the new structure should lead the way in eliminating the 'silo thinking' of Directorates and teams and that a smaller and more focussed senior management team would help to develop a new culture.
- Some staff who responded via e-mail (on Comshare) raised concerns that their particular service had not been identified in the service areas. Amendments have been made to the draft structure wherever possible and assumptions made that general headings, e.g 'Green Spaces Team' will include specific services
- A number of staff raised concerns about the possible sudden loss of experienced Senior Managers, the 'knowledge gap' that this would create and the pressure placed on Operational Managers to fill the gap
- Three members of staff asked if some Heads of Service posts could be backfilled for an interim period
- Staff raised concerns that the standard of service in front facing services could be reduced during the transitional period
- Staff welcomed the focus of involving them and local communities in improving services
- They also welcomed the opportunities that freeing them to "get on with the job" and to bring new ideas, this was seen as an essential part of the new structure
- About two thirds of staff consulted raised concerns about sharing services and contracting out services and whether or not the quality of services currently being delivered by the Council would improve by doing either though many

# APPENDIX ONE

AMENDED on 29.06.09 FOR THE

MEETING OF THE EXECUTIVE 09.07.09

Town Clerk and Chief Executive





acknowledged that current examples of Shared Services (eg sharing recycling with Eden District Council) were working well

### III. The Restructure Timetable

+ Economy Directorate view should be shifted to 2x instant focus & 3 outw

- Some staff felt that the timescale for the restructure was too short
- All staff consulted asked if there would be other job losses and if so, whether a further restructure within the service areas to be undertaken. It was confirmed (as stated in the Executive report of 16<sup>th</sup> June) that further job losses could not be ruled out. The new Senior Management team would review their allocated service areas and make recommendations for efficiency savings and that this was a priority for them.

## 3.0 COMMENTS MADE BY THE TRADES UNIONS

3.1 The CJC meeting of 10<sup>th</sup> June received a presentation of the proposed restructure and Trades Unions representatives were asked for comments. These can be summarised as follows:

- Union representatives were concerned that additional pressures of work would be felt by those staff supporting the current Directors and Heads of Services
- They found it difficult to comment on the specific roles of the Directors and Managers without considering the Job Descriptions (these are currently being redrafted)
- Some of the proposed roles of the Strategic Directors, "such as looking at removing services or contracting out services are unacceptable to UNISON".

3.2 The Trades Unions were also asked to comment and ratify the revised 'Assimilation and Appointments Protocol'. As at 29<sup>th</sup> June, there is still one issue outstanding (for UNISON)

## 4.0 RESPONSES TO COMMENTS

- 4.1 The TCCE has responded to all the comments made by staff, and will continue to do so through the current methods of communication (see 1.2).
- 4.2 The consultation and communication process with all staff will continue to run in parallel with the formal consultation process with those staff affected and the Trades Unions.

Maggie Mooney  
Town Clerk & Chief Executive  
29<sup>th</sup> June 2009





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## **REPORT TO THE EMPLOYMENT PANEL**

Agenda Item No:

*Addendum to  
Agenda  
Item  
A2.*

**Public**

**Date of Meeting:** 9th JULY 2009

**Title:** TRANSFORMATION PROGRAMME: RESTRUCTURE  
PROPOSALS - PROPOSED AMENDMENTS TO THE  
APPOINTMENT AND ASSIMILATION PROTOCOL -

**Report of:** TOWN CLERK & CHIEF EXECUTIVE

**Report reference:** CE 19/09

### **Summary:**

This report is in addition to the one submitted to the Employment Panel (CE 15/09), which is seeking recommendations and comments on the restructure proposals. In this additional report the Employment Panel is asked to approve the amendment of the Appointment and Assimilation Protocol in relation to the restructure proposal. A copy of the Protocol is attached.

### **Recommendations:**

That the Employment Panel approves the suspension of the 'Categorisation of Posts' outlined in 2.1 and 2.2 of the Appointment & Assimilation Protocol, for the purposes of the 2009 restructure.

**Contact Officer:** Maggie Mooney

**Ext:** 7001

Note: in compliance with section 100d of the Local Government (Access to Information) Act 1985 the report has been prepared in part from the following papers: None

## **1.0 RATIONALE**

- 1.1 It is proposed that for the purpose of the 2009 restructure, that the categorisation of the posts, as part of the City Council's Appointment and Assimilation Protocol is suspended
- 1.2 Members of the Employment Panel will be aware that the Protocol was first drawn up in 2002 to guide the Council through a major restructure. It was used again in 2004/2005 for the Senior Management Team restructure and then used as a guide for the restructure of the IT teams in Carlisle and Allerdale as part of the Shared Services programme.
- 1.3 The Protocol has now been reviewed for the 2009 restructure and minor amendments have already been made (2.7). This version was sent to the Trades Unions and their ratification sought and agreed.
- 1.4 The Town Clerk & Chief Executive and North West Employer's have looked at the Protocol in more detail and identified a problem in applying the criteria (or the 'factors to be taken into account') to the Restructure process. They have found a difficulty in using the factors to determine the ring fenced and matched post categories. The factors as identified in the Protocol are a product of their time, are now seven years old and as such do not reflect the roles and responsibilities of the new Chief Officer/ Senior Management posts. Though there is nothing wrong with the factors in categorising more junior posts, it is impossible to use them in this instance for there is no transferability and they bear no relation to the role descriptions for the Strategic Directors and Strategic Managers.
- 1.5 If the factors are used it could exclude some of the affected staff from being part of Category 2 – the ring fenced posts, which requires between 33% and 50% of existing elements of an existing post to transfer to the new post. This also applies to Category 3 – matched posts which requires 51% transferability. It appears grossly unfair that there could be a number of staff who are disbarred from applying for the new posts just because the Council has an out of date policy.
- 1.6 Therefore it is proposed that the categorisation of posts section of the Protocol is suspended for the restructure and that all the staff affected become eligible to apply for the new posts.

- 1.7 In the meantime the Protocol will be overhauled to bring it completely up to date and will be submitted to a future Employment Panel meeting for approval

## **2.2 Category 1 - Open Recruitment**

Posts will be placed in this category if they are new.

These will be advertised internally and externally, in line with Council's recruitment and selection procedure, and all prospective internal candidates will be invited to apply for the role, along with external applicants. Recruitment will be by the way of an interview panel with the process managed by external advisors and include testing or an assessment centre process as well as interview(s). Successful staff will receive a formal offer of appointment, as is the normal process on appointment.

### **Category 2 – Ring-fenced Posts**

A number of posts within the new structure may contain different elements of existing posts. Any post which contains significant elements of an existing post will be classified as "ring fenced".

Recruitment will be by a panel to ensure a fair and consistent approach, and that the appointment system is demonstrably fair to all involved.

Recruitment may, if relevant, include testing and/or other suitable assessment centre type of exercises as well as individual interview(s). Successful candidates will be advised, in writing.

### **Category 3 - Matched Posts**

Some posts within the new structure may be the same or similar to posts within an existing structure other than their reporting arrangements. Such posts are likely to have most of the functions of the existing posts. Where variations do exist these are more likely to be in terms of emphasis and style rather than content. Such posts may be classified as "matched posts". For a post to be matched it must have a substantial number of functions of the functions of a post within the existing structure, and there must be sufficient posts for the people who are matched against them.

\*For the 2009 restructure, the Employment Panel approved the suspension of the 'Categorisation of Posts' (see report CE 19/09)

### **2.3 Advising Employees**

There will be communication and discussion between the Town Clerk and Chief Executive and all staff concerned regarding their position in the new structure. A briefing note will be issued to affected staff giving details of the structure and the timetables etc involved. All staff will then receive an individual letter informing them of which post in the new structure they have been matched or ring-fenced against, or inviting applications for new posts.

Any staff who consider that their post has been wrongly classified may put forward a case of claim in writing to the Secretary to the Appeals Panel (to be advised) within 10 working days of being advised of the classification of that post. With regard to Chief Officers, the Appeals Panel is the Employment Panel (in accordance with the Council's Constitution). This will take place before the post is advertised or (in the case of a matched post) before anyone is appointed to it.

The letter will include a pro forma to be completed and returned within the time scale specified. There will be a space on the pro forma for staff to register any concerns regarding the classification and any case they may have for the classification to be changed. These requests will be considered and a response provided within a stated time scale.

### **2.4 Time to Consider Jobs Offered and Trial Periods**

All existing staff appointed to "ring fenced" and "open competition" posts will have 10 working days to consider the offer. The employee may accept, or reject, the job offer as they feel appropriate. If rejected, and the post is not considered "suitable alternative employment" the employee may qualify for redundancy. If the post is regarded as "suitable alternative employment" redundancy will not apply.

Existing employees appointed in "open competition" and to "ring fenced" posts will have a month's trial period while both the employee, and management, assess suitability for the new post. At the end of this time, either party is free to decide that the employment is not "suitable alternative employment" and redundancy may apply.

### **2.5 Earnings Protection**

In accordance with existing Council policy, where the salary of the new post is lower than that of the existing post, then the employee will have their existing earnings protected for one year, after which they will revert to the appropriate grade. They will not receive any cost of living awards during this period.

### **2.6 Appointment to a position on a higher grade than current post**

Where the grade of the new position exceeds the grade of the existing post, then the employee will be appointed at the nearest equivalent point above their existing point in that grade.

## **2.7 Appeals Procedure**

This appeals procedure in respect of classification will apply for the 2009 restructure only, and is as follows:-

Staff affected by restructuring proposals have the right of appeal against the outcome of any management decision regarding classification. Appeals should be made in writing to the Town Clerk & Chief Executive within 10 working days of receiving written notification of any such decision. All appeals regarding decisions for all posts affected by the Restructure will be determined by Elected Members sitting as the Council's Employment Panel as soon as is practicable.

## **2.8 Redeployment**

A member of the personnel section will meet with any employee who is unsuccessful in being appointed to a post under the three categories (open recruitment, ring-fenced and matched posts) to discuss the possibility of redeployment elsewhere within the Council. Every reasonable effort will be made to find suitable alternative employment. However, it must be understood that this cannot be guaranteed.

## **4. Employee Support**

Training, coaching and confidential counselling services will be available for employees affected by this change.