

# **PROCEDURE FOR THE CONDUCT OF REVIEWS**

(Covering all employees excluding teaching staff)

## **NOTE FOR EMPLOYEES**

This local collective agreement represents Council policy on the above issue. If the policy is subsequently revised, replaced or terminated then this Intranet site will be updated as soon as is reasonably practicable. If you have any queries on the application of the policy then you should contact your line manager or local personnel section in the first instance.



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# **PROCEDURE FOR THE CONDUCT OF REVIEWS**

(covering all employees excluding teaching staff)

## **1. INTRODUCTION**

- 1.1 It is recognised that the Council's employee requirements will be subject to change for a wide variety of reasons. Such changes may arise, for example, from new or revised legislation, changes in Government or Council policy, Best Value or efficiency service improvements, revised quality objectives or workload changes.
- 1.2 As a consequence it may be necessary for the Council to review its functions, organisational structures, pay gradings, employee levels, working practices, etc; to meet changing situations.
- 1.3 The purpose of this procedure is to promote the maintenance of good industrial relations and to facilitate the fullest co-operation of employees throughout the review process.
- 1.4 It is an over-riding principle that imperative review timescales must be met, particularly in respect of the Best Value service review programme and Budget driven efficiency reviews. Consequently, such critical timescales will be communicated to appropriate Trade Union representatives at the earliest opportunity to maximise the success of the consultative process.

## **2. BEST VALUE**

- 2.1 In response to the requirements of the Best Value regime, the Council is committed to a rolling programme of service reviews across all Council services aimed at continuous service improvement.
- 2.2 It is recognised that the Council's workforce are important stakeholders in this process and consequently the Council supports the need for meaningful consultation with the Trade Unions on the rolling programme.
- 2.3 Accordingly, the Director of Corporate Services will be responsible for consulting with the Trade Unions on:
  - (a) the establishment of the annual Best Value service review programme; and
  - (b) regular progress reports provided for the Council.
- 2.4 Each Best Value service review undertaken will also be subject to the consultative arrangements set out in the following sections.

### **3. REVIEWS INVOLVING ONLY ONE DEPARTMENT**

3.1 Where a review is restricted to the whole or part of one Council department then the Head of Department (or senior nominated officer) will undertake the lead role for the review and ensure the effective operation of the consultative process. During the review process support will be provided, as appropriate, by the Director of Corporate Services.

3.2 In addition to formal consultation arrangements with the Trade Union(s) throughout the review process, the Head of Department will be responsible for communicating developments to employees affected by the review.

#### **3.3 Stage 1 - Review Proposal**

(a) At the earliest opportunity the Head of Department will notify the Employees Side Secretary of the Departmental Joint Consultative Committee (and the appropriate Trade Union Branch Official(s)) that it is proposed to undertake a review within the department.

(b) Written notification will include:

- the terms of reference for the review;
- details of the service area(s) to be reviewed and the categories of staff affected;
- the commencement date of the review and its likely duration (including critical timescales); and
- the name of the Lead Officer for the review.

(c) Where available, copies of existing staff structures and job descriptions will also be provided.

(d) In addition, a copy of the notification will be sent to the Employees Side Secretary of the Joint Consultative Group for Local Government Employees.

#### **3.4 Stage 2 - Review Progress**

(a) During the period of the review, the Head of Department will consult with the Departmental JCC (and the appropriate Trade Union Branch Official(s)) on the progress of the review.

(b) Consultative meetings will be arranged by the Head of Department as and when appropriate or at the request of the Trade Union(s).

(c) Where available, interim reports will be presented for discussion at consultative meetings.

(d) Where the terms of reference of the review (eg the timetable) requires to be altered then the Head of Department will notify the Employees Side Secretary of the JCC (and the appropriate Trade Union Branch Official(s)) of the revised arrangements and the reasons for the alteration.

- (e) In addition, a copy of the notification will be sent to the Employees Side Secretary of the JCG for Local Government Employees for information.

### 3.5 **Stage 3 - Review Outcome**

- (a) At the earliest opportunity the Head of Department will issue the draft proposals to the Employees Side Secretary of the JCC (and the appropriate Trade Union Branch Official(s)).
- (b) The draft proposals will be supported by details of any proposed revised job descriptions, staffing structures and gradings.
- (c) In addition, a copy of the draft proposals will be sent to the Employees Side Secretary of the JCG for Local Government Employees for information.
- (d) Through discussion of the draft proposals, the Head of Department will aim to obtain the support of the Trade Union(s) prior to submission of the matter to the appropriate Committee of the Council (or prior to a decision being taken under delegated authority).
- (e) Where agreement on the content and implications of the draft proposals is not reached within the remaining time available for consultation, then the Trade Union(s) will be given the opportunity to present their views to the appropriate Committee of the Council at the time the matter is being reported for a decision.
- (f) Arrangements will subsequently be made to implement the review decisions. However, it is recognised that the Trade Union(s) reserve the right to respond to such decisions which have not been supported by the Trade Union(s).

## **4. REVIEWS INVOLVING MORE THAN ONE DEPARTMENT**

- 4.1 Where a review is likely to involve more than one Council department then the Director of Corporate Services (or senior nominated officer) will undertake the lead role for the review and ensure the effective operation of the consultative process.
- 4.2 Accordingly, the Director of Corporate Services will be responsible for notifications and information provision to the Trade Union(s) in line with Section 3 above and will arrange all joint meetings necessary to progress the review to its conclusion.
- 4.3 Heads of Department (or senior nominated officers) will be responsible for providing departmental support during the review process and will:
  - (a) arrange for progress to be discussed at Departmental JCC meetings; and
  - (b) arrange to communicate developments to departmental employees affected by the review.

## 5. MINOR REVIEWS

- 5.1 It is recognised that there is also an ongoing need for Heads of Department to monitor and respond to less significant changing situations. Where this results in the need to undertake a minor review then a streamlined review process will operate.
- 5.2 Such minor reviews will typically involve only one post (or perhaps two posts) and will be envisaged as requiring no more than 2 working days input from the Director of Corporate Services throughout the review process.
- 5.3 Consequently, when a minor review is to be undertaken then the Head of Department will be responsible for:
- (a) communicating developments to the employee(s) affected by the review; and
  - (b) consulting with the Employees Side Secretary of the Departmental Joint Consultative Committee throughout the review process. Although streamlined consultation on minor reviews will require Heads of Department to:
    - provide written notification of the intention to undertake a particular minor review
    - provide information and appropriate copy documents to facilitate consultation
    - provide written notification of the review outcome.

## 6. IMPLEMENTATION ARRANGEMENTS

- 6.1 The Head of Department will be **responsible for implementing review decisions** and for issuing notification of changes, where appropriate, to employees affected by the decisions. Where a review has involved more than one Council department then the Director of Corporate Services will advise on implementation to ensure co-ordinated and consistent action by Heads of Departments.
- 6.2 **Implementation will normally take effect:**
- (a) from the date on which the service Committee agrees the changes (subject to approval by the Personnel Committee) unless an alternative date is specified and approved; or
  - (b) from a current or near future date where such change decisions are taken by a Head of Department under delegated authority unless, in conjunction with the Director of Corporate Services, an alternative date is specified in exceptional circumstances.

- 6.3 Where a revised staffing structure is approved it may be necessary to create a mechanism to deal with the assignment of existing permanent employees into the new structure. In such circumstances the Head of Department will develop **an assignment procedure**, in conjunction with the Director of Corporate Services. The assignment procedure, which will be the subject of consultation with the Trade Union(s), will reflect the following key principles:-
- (a) adoption of a "top-down" approach;
  - (b) creation of a banding system for "ring-fencing" posts for assignment;
  - (c) provides for assignment based on an employee's existing substantive post;
  - (d) uses restricted competitive interviews where necessary;
  - (e) ensures that employee displacement is kept to a minimum and, where appropriate, provides for their further consideration at a lower level in the new structure;
  - (f) arranges for non-assigned employees to be dealt with in accordance with surplus staff arrangements; and
  - (g) provides for vacancies arising from the assignment process to be advertised in accordance with normal recruitment and selection arrangements.
- 6.4 **Assimilation arrangements for the regrading of posts** will be in line with the provisions of the appropriate National Scheme governing pay and conditions of service for the employees concerned, as adopted by the Council. Heads of Department may, in conjunction with the Director of Corporate Services, agree alternative assimilation arrangements with the Trade Union(s) in exceptional circumstances.
- 6.5 In the event that a **post is downgraded as a result of a review** but remains fundamentally the same post, then the postholder at that time will retain existing conditions of service (including higher basic salary grade/wage rate) on a protected basis until the post is relinquished. Similarly existing rights to vary contractual terms (eg any right to vary working patterns, adjust payments, etc) will also continue. A post will be deemed to be the same post where the range of duties and responsibilities attached to the post continue largely unaltered after the review process, although it is recognised that some minor adjustments to the job may have been initiated by management.
- 6.6 Where an employee is **assigned to a new post as a result of a review** then the terms and conditions of employment applying will be those attached to the new post. However, where the new post is graded at a lower level than is currently being received, then the employee will retain the higher basic salary scale/wage rate on a personal basis until the new post is relinquished.

- 6.7 Where there is a **need to reduce staffing numbers** as a result of a review then the Council's Procedure for Redeployment of Surplus Employees will apply.

## **7. LOCAL AGREEMENT**

- 7.1 This document is a local collective agreement between the Council and the recognised Trade Unions. Every effort will be made by both parties to ensure that this document will be maintained as a local collective agreement and adjusted by agreement to meet changing future needs. In the event of failure to reach agreement both parties reserve the right to terminate this local agreement by giving four months notice in writing. In such circumstances the terms of the local agreement will cease to apply to existing and future employees.
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