

GENERAL PURPOSES COMMITTEE 29th MARCH 2010
Item 6 – Updates to Redeployment Policy and Restructure Policy

**UPDATES TO REDEPLOYMENT POLICY AND RESTRUCTURE POLICY –
EMPLOYEE SIDE COMMENTS**

We have the following comments on these proposals.

We are very keen to maximise the redeployment opportunities of our members and on numerous occasions managers have told us that the Council also has a financial interest in finding alternative work for staff rather than having to pay them redundancy. To this end, we believe that the current redeployment period of twelve weeks plus the person's notice period should be retained. The current proposals are too vague as to what redeployment period will apply in addition to the notice period. Most references in the report are simply to the principle of greater flexibility. The one point at which it tries to be more specific is worded as follows.

“In exceptional cases, redeployees may be given a redeployment period of up to 12 weeks although the majority of redeployees will be given a period of between 4-8 weeks with each case considered on an individual basis... “

This does not say that 4 weeks will be the minimum period. (If it did, we would argue that that period was far too short.) It may be intended that the majority of employees would be given 4-8 weeks and a minority 9-12 weeks. The wording, however, could equally well mean that the minority would also include some given 0-3 weeks. We would argue that the proposal is not adequately defined and in any case is seeking to disturb a satisfactory arrangement that gives a good opportunity for redeployment to the greatest number of people.

The General Principles section of the proposed Restructure Policy envisages temporary voluntary downgrading as one possible measure to avoid redundancies. We are very uneasy about this and question how “voluntary” agreement will be if people are faced with the choice of taking a pay cut or losing their job. What would be absolutely unacceptable would be any suggestion that staff would continue to carry out the same duties for a lower grade. Apart from anything else, this would give rise to equal pay claims unless the whole workforce were downgraded – a truly horrific prospect. If duties were reduced in conjunction with the downgrading, service delivery would be affected and disputes would be generated about what people should or should not be doing at their lower grade.

Where redundancies do occur, the proposed Policy provides for a consultation period of 30 days if 20 to 99 people may be made redundant and 90 days if the figure is 100 or more. We request that the figure of 30 days should apply to any number up to 99. It does not take less time to respond to 15 redundancies than to 20. Appendix A of the report suggests that a reasonable period is “up to 30 days”. We say it should simply be 30 days.

In the section of the proposed Restructure Policy that explains how ring fencing will work, there is a sentence that reads, *“Generally employees will not be ring fenced into a selection process where there is clear promotion i.e. more than one grade.”* It has also long been recognised that the same differential of one grade applies in the other direction as well and that a post more than one grade lower is not a reasonable offer of alternative employment. In the light of this principle of ring fences extending one grade up and one down, we think that the procedure needs to cover what will happen when someone falls to be redeployed when they are at the point of transition in a linked grade. This can happen if the redeployment process starts before the 1st April and extends beyond it. To take a hypothetical example, suppose someone were on a linked grade of PO1/PO2 and had reached the top of PO1. It would be ludicrous to ring fence them to posts from SO1 to PO2 in March and, if they had not been matched, move them into ring fences from PO1 to PO3 in April. Although the progression has to be accompanied by some higher-level work and the ability to do it, it is quite possible that these criteria would have been met apart from the restructure. It is even possible that the person is in a closed ring fence for a reduced number of posts in their existing role and, if successful will move up to the higher grade. It would be very unfair to base their ring fencing on the lower grade in these circumstances. On this, we are requesting that no decision be made at this point and the issue be sent back for negotiation between management and the trade unions. We also feel that more precision is needed on the operation of cascading ring fences and that this too needs to be sent back for more discussion.

On a slightly separate point, the Council has in recent years made great strides to promote equality and diversity amongst its workforce at all levels. We therefore note with some concern that there is no commitment in relation to carrying out an Equalities impact assessment on these proposals. Particularly, this could be used to ensure that particular modelling or ring-fences do not disproportionately disadvantage specific groups either on the grounds of age, gender or ethnic origin. Such a piece of work would not be overly time consuming and could be used as a basis for objective justification of ring-fences.

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