

	<h2>General Functions Committee</h2> <h3>18 February 2016</h3>
<p style="text-align: right;">Title</p>	<p>Restructure of the Adults and Communities Delivery Unit</p>
<p style="text-align: right;">Report of</p>	<p>Mathew Kendall – Adults and Communities Director</p>
<p style="text-align: right;">Wards</p>	<p>All</p>
<p style="text-align: right;">Status</p>	<p>Public</p>
<p style="text-align: right;">Urgent</p>	<p>No</p>
<p style="text-align: right;">Key</p>	<p>No</p>
<p style="text-align: right;">Enclosures</p>	<p>Appendix 1 – Restructure of the Adults and Communities Delivery Unit Consultation Document - Consultation Report and Final Proposals. Appendix 1A – FAQs Appendix 1B – Redundancy Selection Arrangements Appendix 1C – Existing Structure Appendix 1D – New Structure Appendix 1E – Staff equality impact assessment Appendix 1F – Public equality impact assessment Appendix 2 – Trade Union Response</p>
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Summary

This report proposes changes to the Adults and Communities Delivery Unit. Details of the proposed changes are set out in the main body of the report.

The Adults and Communities Director led collective and individual consultations between 3 December 2015 and 1 February 2016. If agreed, the proposed restructure would affect more than 20 employees and therefore requires approval by the General Functions Committee.

Whilst the implementation date for this restructure is 1 April 2016, the Committee is advised that transitional arrangements may be necessary to compensate for vacant positions, possible redundancies and the handover of duties between current and future roles. The Committee is asked to authorise the Adults and Communities Director to take the necessary actions to implement transitional arrangements to ensure continuity of business.

Recommendations

- 1. That the General Functions Committee approve the proposed restructure of the Adults and Communities Delivery Unit, including the deletion of existing posts and the creation of new posts as set out in the Appendix 1.**
- 2. That authority to take all necessary actions to put in place transitional arrangements to ensure the continuity of business as these proposals are implemented be delegated to the Adults and Communities Director.**

1. WHY THIS REPORT IS NEEDED

- 1.1 The report concerns proposed changes to the establishment of the council. The report is presented as there are more than 20 posts in scope for the restructure and therefore the approval of General Functions Committee is required before the new proposals can be implemented.

2. REASONS FOR RECOMMENDATIONS

- 2.1 The committee is asked to approve the proposed restructure which will have the effect of formally altering the council's establishment, specifically the Adults and Communities Delivery Unit. The proposed model would enable the required savings target to be achieved and allows efficiencies in management in order to minimise impact on front line staff and service delivery.
- 2.2 The detail of the proposed changes can be found in the Restructure of the Adults and Communities Delivery Unit Consultation Document - Consultation Report and Final Proposals (Appendix 1).
- 2.3 In their response, Unison has raised a number of issues and concerns. It is proposed by Unison that rather than making staff savings in the Delivery Unit the Council should fund from reserves. Across the county, adult social care services are having to reshape and have made similar changes to skill mix and management layers to those proposed. In recent years the adult social care service has seen relatively few reductions in staffing and these proposals help to mitigate against front-line service reductions. The Unison report also sets out that the proposals introduce an unacceptable level of risk but it is anticipated that with the mitigations set-out in the consultation response the risk can be effectively managed. The impact of the changes will be kept under review and introduced through a phased approach to ensure services are safe.
- 2.4 The Unison response also recommends not implementing changes to skill mix or supervision of Assessment and Enablement Officers by Social Workers. The feedback from staff and Trade Unions has been carefully considered within the Delivery Unit Leadership Team. It is still proposed that to align practice between social workers and occupational therapists, social workers will supervise up to one AEO each. Formal line management will remain with Team Managers and Lead Practitioners and will not transfer to social workers.

It is felt that this will help to share and develop skills across the service and provide development opportunities that will help with career progression. It is hoped that many social workers will see this as a good opportunity to develop and support their career progression whilst sharing their knowledge and experience with their colleagues. Work is underway to scope the training and development requirements to support social workers in taking on this role and implementation will be sensibly phased throughout 16/17.

- 2.5 It is anticipated that the supervisory changes can ease some of the internal recruitment challenges faced by the Delivery Unit. It has been difficult to recruit to Lead Practitioner roles (12 are currently vacant) and it is anticipated that by offering greater supervision opportunities social workers will be better prepared to progress and will reduce reliance on external recruitment.
- 2.6 The changes to skill mix are not unusual and will align Barnet practice with many other local authorities. Implementation will be phased as Social Workers leave.

3. ALTERNATIVE OPTIONS CONSIDERED AND NOT RECOMMENDED

- 3.1 The following options were considered but are not recommended:
- Do nothing: not an acceptable option as this would result in failure to deliver the Medium Term Financial Strategy (MTFS).
 - Delete a number of posts to meet the budget reductions without undertaking a restructure or developing new role profiles. This would result in a significant negative impact on service delivery, customer satisfaction and staff.
- 3.2 The development of the proposals included a 60 day consultation with the Adults and Communities Delivery Unit to explore alternative proposals. The response to the consultation is set out in Appendix 2.

4. POST DECISION IMPLEMENTATION

- 4.1 Should the committee approve the proposed Adults and Communities organisational structure, the following will be implemented on 1 April 2016:
- new role profiles and evaluated grading confirmed
 - new organisational structure implemented
 - recruitment to vacant posts
 - redundancy and dismissals.

5. IMPLICATIONS OF DECISION

5.1 Corporate Priorities and Performance

- 5.1.1 This report concerns the Adult and Communities Delivery Unit. It furthers the Corporate Plan 2015 – 2020 by supporting the principal of responsibility and ensuring that the Delivery Unit achieves its priority outcomes.
- 5.1.2 The restructure is in line with the Health and Wellbeing Strategy 2015 – 2020 and the Adults and Safeguarding Commissioning Plan 2015 -2020 through its focus on efficiency and effectiveness.

5.2 Resources (Finance & Value for Money, Procurement, Staffing, IT, Property, Sustainability)

Finance

- 5.2.1 The proposals set out within this report can be contained within the relevant existing Adults and Communities budget, including the savings required to deliver the requirements of the Council's MTFS.
- 5.2.2 Any redundancy costs will be met from existing council budgets. Redundancy costs are expected to be below £100k in total. Any pension strain costs would be in addition to this figure. Decisions to dismiss individuals will be taken by officers in accordance with the scheme of delegation.
- 5.2.3 The Adults and Communities Delivery Unit has been tasked with identifying MTFS savings of £1m in staffing costs in 2016/17 and a further £400k in 2017/18. A number of changes have been made to the proposals and this has impacted on the anticipated savings. A summary of the impact of workforce savings on the Adults and Communities staffing budget is presented in the table below.

	Financial impact (£m)
Post deletions	-1.973
Post creations	1.016
Post re-grades	
As and when Approved Mental Health Practitioner budget	-0.081
Reductions to associated budgets (e.g. car allowances)	-0.061
Sub-total	-1.099
Still to be implemented (Performance & Information and Mental Health)	-0.301
Total	-1.400

Staffing

- 5.2.4 The proposals include the deletion and creation of a number of new posts, as

detailed in the consultation response document attached as Appendix 2.

- 5.2.5 Should the recommendations be approved, the proposals will be implemented in accordance with the council's Managing Organisational Change Policy.
- 5.2.6 One of the objectives of the implementation of the proposal is to minimise the number of redundancies. At this stage of the process, there are 16 individuals at risk of redundancy.
- 5.2.7 A consultation paper was published on 3 December 2015. The proposals have been revised following the consultation process. The consultation was in accordance with Section 188 of the Trade Union and Labour relations (Consolidation) Act 1992 and in line with the Council's obligations under Information and Consultation of Employees (ICE) Regulations. Draft proposals were provided to the Council's recognised trade unions prior to opening consultation. The proposals have been revised during the consultation process and the revised proposals are at Appendix 1.
- 5.2.8 The reasons for the proposed redundancies are as defined in Appendix 1 sections 2 and 5.
- 5.2.9 The Council provided information when opening consultation and continued to do so throughout consultation, providing information and responding to trade union and employee queries. Communications on the proposals were shared with casual and agency workers.
- 5.2.10 The timetable of events has also been issued in the various briefings and communications throughout the process.
- 5.2.11 The proposed method of redundancy selection was included in the consultation document and has been amended based on feedback received. The final version is attached as Appendix 1B.

5.3 **Social Value**

- 5.3.1 Not applicable in the context of this report.

5.4 **Legal and Constitutional References**

- 5.4.1 In accordance with [Appendix A to the Responsibility for Functions section of Barnet Council's Constitution](#) the General Functions Committee has responsibility for staff matters (i.e. salaries and conditions of service) other than those within the remit of Chief Officer Appointment Panel. In accordance with the [HR Regulations in the Constitution](#), where there is a proposed organisational restructure involving 20 staff being put at risk of redundancy or TUPE or there are changes to terms and conditions of employment, a report must be made to the General Functions Committee for approval.
- 5.4.2 The consultation process with staff is required in accordance with Section 188 of the Trade Union and Labour relations (Consolidation) Act 1992 and in line with the Council's obligations under Information and Consultation of Employees (ICE) Regulations.

5.5 Risk Management

5.5.1 Risks associated with the restructure have been logged using the risk management procedure as part of the Corporate Risk Management Framework. In summary the key risks are as follows:

Risk	Mitigation
If key posts in the service are not filled then service delivery will be affected.	A Recruitment Strategy will be developed to ensure business critical roles are filled by either permanent or interim staff.
If cases are not properly transitioned in line with staff movements in the new structure then service delivery will be affected.	Movement between teams to be frozen followed by a planned and measured transition with planned interim arrangements (e.g. staff hold onto live cases until completed) in place if necessary.
If policies, procedures and protocols are not updated to reflect the new structure and operating arrangements then service delivery will be affected.	Project to facilitate the updating of policies and procedures. Time must be allocated by DU for development and sign off.
If the changes are not setup properly on HR Core then this will cause delays to billing and payroll processes.	Work to be prioritised by Project Lead working closely with HR. Early agreement on requirements and timescales.
If service and team managers leave ahead of restructure (particularly in areas affected by de-layering) then this could result in instability.	Contingency plans to be in place with appropriate agencies to ensure that required agency staff can be mobilised very quickly if they are needed. SMT to closely monitor the situation.
<p>The proposals have been designed to have no impact on resident and service users, however, there is a possibility that they might impact residents and/or service users in an unforeseen way or ways.</p> <p>If such impacts are identified prior to implementation then the implementation may be challenged and delayed or cancelled.</p> <p>If such impacts occur after implementation then the council's reputation may be impacted.</p>	<p>Record as impact not known on EIA. EIA to contain information on the borough demographics and the breakdown of Adults and Communities Client base to demonstrate awareness of the protected characteristics.</p> <p>Undertake to monitor satisfaction rates and assessment rates and be ready to take action in the event of reduction.</p>

5.6 Equalities and Diversity

5.6.1 The 2010 Equality Act outlines the provisions of the Public Sector Equalities Duty which requires Public Bodies to have due regard to the need to:

- eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Equality Act 2010
- advance equality of opportunity between people from different groups
- foster good relations between people from different groups

5.6.2 The broad purpose of this duty is to integrate considerations of equality into day business and keep them under review in decision making, the design of policies and the delivery of services.

5.6.3 Before consultation opened a detailed Equality Impact Assessment was undertaken in respect of staff. This identified that as the Adults and Communities Delivery Unit has a predominantly female workforce, it is anticipated that female employees will be disproportionately affected by the proposed efficiencies across the workforce. However, there is no fair way of mitigating this and in order to achieve the savings target the proposed efficiencies are necessary. In addition, the workforce age profile suggests that the workforce includes a number of staff who have been in post for a number of years and may be out of practice when it comes to recruitment and selection. This can be mitigated by the offering of interview and application skills training to all staff at risk.

5.6.4 A separate Equality Impact Assessment was carried out in respect of the public who use the services of the Adults and Communities Delivery Unit to identify any equality impacts on the public as a result of the proposed efficiencies savings. The proposals are designed to deliver staffing efficiencies without impacting on front line services and to enable cost savings in terms of the staffing budget. It is not expected that these changes will impact on service users and residents.

5.7 Consultation and Engagement

5.7.1 An open consultation was launched for a 60 day period on 3 December 2015. The Trade Unions were informed of consultation at a meeting on 30 November 2015. 1 to 1 meetings were held with directly affected employees early on during the formal consultation period.

5.7.2 Staff across the Delivery Unit were encouraged to comment and put forward ideas to improve the proposals or alternative proposals. A variety of ways were made available for people to put these forward or to ask questions.

Online survey

A web link to an online survey was circulated to staff with the consultation document. The survey could be completed anonymously if desired and included free text fields that allowed for open comments and suggestions.

19 people completed the online survey. The majority of respondents disagreed with the consultation proposals. A detailed numerical analysis of responses has not been provided given the small sample size but the issues raised are reflected in the feedback table below.

Email	<p>Comments and suggestions could be emailed to a dedicated engagement mailbox.</p> <p><i>5 individuals and 5 teams responded in this way. Where team feedback has been received the key messages are included in “section 4 - outcome of consultation and response” and are also detailed in the relevant team sub-section of “section 5 - final proposals by team”.</i></p>
Drop-in sessions	<p>Staff were invited to discuss the proposals with the assistant directors at open drop-in sessions held in Barnet House on the following dates:</p> <ul style="list-style-type: none"> • Wednesday, 16 December 2015, 09:30-10:30 • Tuesday, 15 December 2015, 14:00 – 15:00 • Monday, 4 January 2016, 14:00 – 15:00 • Friday, 8 January 2016, 09:30-10:30 • Tuesday, 12 January 2016, 14:00 – 15:00 • Thursday, 14 January 2016, 11:30-12:30 <p>Specific sessions to discuss skill mix and mobile working and the use of technology were held on</p> <ul style="list-style-type: none"> • Mobile working and use of technology - Monday 18 January 2016, 11:30 – 12:30 • Changes to skill mix in the operational teams - Tuesday 19 January 2016, 12:30 – 13:30 <p>The dates of all the drop-in sessions were circulated to staff with the consultation document and posted on the intranet. Email reminders were circulated to encourage attendance</p> <p><i>Around 10 people attended drop-in sessions. Approximately 50 people attended the mobile working and skills mix sessions.</i></p>
One-to-one meetings	<p>Individuals at risk of redundancy have had at least two meetings with their line manager, HR and their own representation where requested.</p> <p>Staff were encouraged to share their thoughts on the proposals with their line manager or a member of the Senior Management Team.</p>
Consultation FAQs / Log on intranet	<p>Throughout the consultation all common questions and concerns were logged with weekly updates and responses where appropriate and published on the intranet.</p> <p>Personal questions and queries were responded to directly wherever possible.</p>

5.7.3 Regular Trade Union meetings were held during the consultation proposals to discuss matters arising.

5.7.4 The consultation period closed on 1 February 2016 at 5.00pm. Following this there was a meeting with the Trade Unions on 8 February 2016 to formally respond following the close of consultation. Close of consultation staff briefings were held on 9 and 10 February 2016 to present the findings of the consultation and update staff on the final proposals being presented to

General Functions Committee.

5.8 **Insight**

5.8.1 Insight data is not applicable in the context of this report.

6. BACKGROUND PAPERS

6.1 General Functions Committee, 2 December 2015, Item 7, Staffing Re-organisations 2016/17 - <http://barnet.moderngov.co.uk/ieListDocuments.aspx?CId=174&MId=8374&Ver=4>