



Constitution and General Purposes Committee

17 January 2019

Title	Formal consultation on the proposals for the restructure of Adult Social Care Services in Barnet Council
Report of	Dawn Wakeling, Executive Director Adults and Health
Wards	All
Status	Public
Urgent	Yes
Key	Yes
Enclosures	<p>Appendix 1 – Formal consultation document on the proposals for the restructure of adult social care services in Barnet council</p> <p>Appendix 2 – Consultation closure report and final proposals</p> <p>Appendix 3 – New Structure</p> <p>Appendix 4 – Staff equality impact assessment</p>
Officer Contact Details	<p>Courtney Davis, Head of Transformation 020 8359 4901 courtney.davis@barnet.gov.uk</p>

Summary

This paper sets out the final proposed changes to the staffing structure of adult social care following a period of formal consultation with staff and the trade unions from 5 December 2018 to 8 January 2019. The proposals will be implemented to take effect by 1 April 2019.

The consultation document (attached as appendix 1) set out proposals for the adult social care staffing in both the Adults and Communities Delivery Unit and the Adults Joint Commissioning Service to deliver both a new structure that aligns to the council-wide senior management restructure proposals and delivers efficiency savings of £682k in

2019/20 as set out in the Adults and Safeguarding Committee Medium Term Financial Strategy (MTFS).

The final proposals will result in 15 posts in the Adults Delivery Unit and Joint Commissioning Service being deleted. Of the posts proposed for deletion, 14 are currently vacant and one member of staff will be put at risk of redundancy. Additionally, a number of adult social care teams and functions have been realigned to address the changes proposed in the senior management restructure.

Recommendations

- 1. The Committee approve the proposed changes to the adult social care staffing structure to take effect by 1 April 2019.**
- 2. The Committee note formal consultation has been undertaken with a summary of the feedback from this is included within the report.**
- 3. The Committee delegate authority to the Executive Director Adults and Health to agree redundancy payments for the roles identified at risk (subject to the scheme of financial delegation).**

1. WHY THIS REPORT IS NEEDED

- 1.1 The council's medium term financial strategy (MTFS) for 19/20 – 23/24 requires a budget reduction of £69.9m, with a target of £27.1m to be delivered in 19/20. To address the budget gap between 2019 and 2024, the Adults and Safeguarding Committee were asked to set out savings proposals to contribute to the council's overall savings requirement. The agreed proposals included workforce savings of £682k in 19/20.
- 1.2 To deliver these savings it was necessary to review and restructure both the senior management arrangements and the roles, teams and functions that sit below the Head of Service level.
- 1.3 The senior management restructure proposed a reduction in senior management to take effect in April 2019. The principles of the senior management proposals (in addition to dissolving the commissioning and delivery split, and financial efficiencies) were about reducing management layers, ensuring clarity of accountability, and appropriate spans of control. The proposed changes in the senior management restructure required the realignment of teams and functions in adult social care.
- 1.4 The adult social care restructure consultation document set out proposals for the Adults and Communities Delivery Unit and the Adult Joint Commissioning Service to deliver both a new structure that aligns to the senior management restructure proposals and delivers savings of £682k in 2019/20. The Consultation Report and Final Proposals document (attached as appendix 2) confirms the final proposals following consideration of the feedback provided from staff and the Trade Unions during the consultation period.

- 1.5 The final proposals will result in 15 posts in the Delivery Unit and Joint Commissioning Service being deleted. Of the posts proposed for deletion, 14 are currently vacant and one member of staff will be put at risk of redundancy. Additionally, a number of adult social care teams and functions have been realigned to address the changes proposed in the senior management restructure.
- 1.6 In line with the council's Managing Organisational Change policy, formal consultation was launched for a 30 day period on 5 December 2018 running to 3 January 2019. Following requests from staff and UNISON an extension of 5 calendar days was agreed resulting in a new consultation end date of 8 January 2019.
- 1.7 The timing enables the proposed changes to take effect on 1 April 2019, and deliver a full year effect of financial savings for the 2019/20 budget as part of the Adults and Safeguarding Committee MTFS.

2. REASONS FOR RECOMMENDATIONS

- 2.1 The proposals aimed to achieve the required savings and minimise adverse impact for both staff and residents. The following principles governed the development of the proposals:
 - Maintaining front line staffing
 - Delivering an effective integrated structure through alignment between related functions
 - Minimising redundancy
 - Delivering services as efficiently as possible
- 2.2 The detail of the proposed changes as well as a summary of consultation feedback and responses can be found in the Consultation Report and Final Proposals (Appendix 2).

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 proposals have changed as a result of feedback following the consultation. The Consultation Report and Final Proposals document highlights the changes that have been made.

4. POST DECISION IMPLEMENTATION

- 4.1 Upon approval of the recommendations, changes will be confirmed with affected staff. Management will lead and HR will support the implementation of the changes. It is expected that the new organisational structure will be in place by 1 April 2019.
- 4.2 Where staff are at risk of redundancy, HR and the Executive Director will work to finalise arrangements.
- 4.3 A number of other suggestions for improvements were raised by staff as part of the consultation exercise. These will be taken forward by the management team working with the areas concerned.

5. IMPLICATIONS OF DECISION

5.1 Corporate Priorities and Performance

- 5.1.1 The proposed changes take account of the corporate priorities and directly support and underpin our ambitions to be an efficient and effective Council. Furthermore, they support the council's financial sustainability by delivering MTFS savings for 2019/20.
- 5.1.2 The principles of the senior management proposals (in addition to dissolving the commissioning and delivery split, and financial efficiencies) were about reducing management layers, ensuring clarity of accountability, and appropriate spans of control. The proposals in this consultation document embed these principles across adult social care services in the council. The clearer lines of accountability support an effective performance management framework including quality assurance, financial management and the delivery of the MTFS.

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

- 5.2.1 The Adults and Safeguarding Committee MTFS proposals include workforce savings of £682k in 2019-20.
- 5.2.2 A summary of the impact of workforce savings, including the savings delivered by the senior management restructure, is presented in the table below:

Description	Financial impact
Four Senior Management Post Deletions	-£371k
15 posts from the Adults Delivery Unit and Joint Commissioning Team are deleted (of which 14 are currently vacant)	-£416k
Subtotal	£787k
Permanent post funding (where an established post did not have permanent funding)	£105k
Total Savings	£682k

5.3 Any redundancy costs will be funded corporately.

5.4 **Social Value**

5.4.1 Not applicable in the context of this report.

5.5 **Legal and Constitutional References**

5.5.1 In accordance the Council's Constitution, Article 7- the Constitution and General Purposes terms of reference includes responsibility for staffing matters (i.e. salaries and conditions of service) other than those within the remit of the Chief Officer Appointment Panel.

5.5.2 The HR Regulations in the Council's Constitution (Section 2.1) require that no vacant post at Assistant Director level or above shall be advertised or recruited to without prior Committee approval and all new posts at Assistant Director level or above shall be created by Committee decision.

5.5.3 The consultation process with staff is required in line with the Council's obligations under Information and Consultation of Employees (ICE) Regulations.

5.5.4 The restructure has been carried out in accordance with the Council's Managing Organisational Change Policy. Consultation with Trade Unions and collective and individual staff consultation has concluded. The new structure can now be implemented subject to the approval of this Committee in accordance with the Managing Change Policy.

5.5.5 According to the Scheme of Delegation the Executive Director Adults and Health can authorise the payment of redundancy payments in line with the Managing Change Policy below £100,000. The Constitution and General Purposes Committee approves severance packages above £100,000.

5.6 Risk Management

5.6.1 The most significant risks being managed as part of this restructure are summarised in the table below:

Risk	Mitigation
Restructures can create uncertainty, destabilise the organisation and detract from key priorities or cause staff to leave the council.	Work closely with HR and the Trade Unions. Ensure regular communication and engagement with staff. Ensure management are available to support change. Work with the adult social care leadership team to develop the implementation plan, ensuring collaboration and involvement.
The loss of experienced staff could result in instability and organisational knowledge.	Ensure sufficient time for handover planning and clear, accessible records.
As functions are realigned to new areas there is a capacity and workload risk as new functions are incorporated.	Planning around capacity and workloads will take place as part of implementation for the new structure. Sufficient senior management capacity will be available to support the team and ensure workloads are manageable.

5.7 Equalities and Diversity

5.7.1 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

5.7.2 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.

5.7.3 Before consultation opened, a detailed Equality Impact Assessment was undertaken in respect of staff. This identified that as Adult Social Care is a

predominantly female workforce, it is anticipated that female employees will be disproportionately affected by the proposed changes across the workforce. However, the impact of this is mitigated by the fact that most of the savings are to be achieved by the deletion of vacant posts, thereby reducing this impact. Where staff in post are directly affected, the impact will be mitigated by use of the council's redeployment process.

5.7.4 The adult social care workforce age profile suggests that the workforce includes a number of staff who have been in post for a number of years and hence may be lacking in recent practice when it comes to recruitment and selection. This impact will be mitigated by providing support to any staff who may have to enter into a redeployment process. The Learning and Development and adult social care Workforce Teams will work together to ensure that staff have adequate support through any interview and selection procedure.

5.8 Corporate Parenting

7.7.1 The changes have no direct impact on looked after children or care leavers.

5.9 Consultation and Engagement

5.9.1 The consultation was launched for a 30 day period on 5 December 2018 running until 3 January 2019. The Trade Unions were initially informed of consultation at a meeting on 22 November 2018. A formal consultation meeting was held with the Trade Unions on 17 December 2018 and a close of consultation meeting was held with them on 8 January 2019. Following requests from staff and Unison an extension of 5 calendar days was agreed resulting in a new consultation end date of 8 January 2019.

5.9.2 Staff across the Adult Social Care Service 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.

<p>Email</p>	<p>Comments and suggestions could be emailed</p> <p>20 individuals and 4 teams responded in this way. Where appropriate, key messages from feedback has been included in section 4 - outcome of consultation and response – of the consultation closure report. Where comments and questions were about personal/confidential matters, these were responded to individually.</p>
<p>Drop-in sessions</p>	<p>There were open drop-in sessions throughout the consultation period where staff were invited to discuss the proposals with senior management.</p> <p>The dates were Monday 10th December 11-12 at Barnet House; Monday 17th December 11-12 at Barnet House; 17th December 3.30-4.30 at NLBP; Wednesday 19th December 10-11 at NLBP; and Wednesday 19th December 11.30-12.30 at Barnet House.</p> <p>Staff could attend as an individual or as a group and either drop in or email</p>

	<p>project support to book a specific time slot within these sessions.</p> <p>The dates of all the drop-in sessions were circulated to staff with the consultation document and reminder outlook invitations were sent in advance of the meetings to encourage attendance.</p> <p>27 people attended these sessions, a summary of topics can be found in section 4 - outcome of consultation and response – of the consultation closure report.</p>
One-to-one meetings	<p>Individuals at risk of redundancy have had the opportunity to meet with a senior 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. Members of the adult social care leadership team held a number of meetings with teams and individuals.</p>
Consultation FAQs / Log on intranet	<p>Throughout the consultation all common questions and concerns were logged with weekly updates and responses where appropriate were circulated via email.</p> <p>FAQ can be found in the Consultation Closure Report</p>

5.9.3 A number of consultation responses were received as outlined in the table above. The detail of the proposed changes as well as a summary of consultation feedback and responses can be found in the Consultation Report and Final Proposals

5.9.4 Staff briefings to close consultation were held on 10 and 14 January 2019 to present the findings of the consultation and update staff on the final proposals being presented to Constitution and General Purposes Committee.

7.9 Insight

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

6. BACKGROUND PAPERS

6.1 None.