



## **ORGANISATIONAL CHANGE FOR POLICE STAFF PROCEDURE**

### **Authorised Professional Practice (APP)**

APP is the national body of consolidated professional practice and guidance for policing and is authorised as such by Chief Constables' Council. It significantly reduces the amount of national guidance in circulation, encourages the use of professional discretion and brings consistency to all authorised police practice.

It has the same legal status as previous guidance; it is not the law and so, while police officers and police staff can be expected to have regard to APP in discharging their responsibilities, the status of APP is advisory. There may be circumstances when it is perfectly legitimate to deviate from APP, provided that there is clear rationale for doing so.

- This Procedure has been checked against APP and there is none in relation to the subject matter of this Procedure.

**PRINTED VERSIONS SHOULD NOT BE RELIED UPON. THE MOST UP TO DATE VERSION CAN BE FOUND ON THE INTRANET POLICIES SITE.**

## **Introduction**

- a) The Force values the contribution made by its staff towards the achievement of its strategic priorities, visions and values and as far as possible, wishes to maintain job security and continuity of employment for all its employees. However, any organisational change is likely to result in changes to the workforce. As a consequence of that, some posts may no longer be required. However, in those cases, every effort will be made to find suitable alternative employment for displaced individuals and compulsory redundancy will be viewed as a last resort.
  
- b) It is anticipated that organisational change will lead to restructuring on an incremental basis. Therefore, different departments will be affected at different times. These procedures will therefore apply to the department affected.

## **1.0 Procedure**

### **1.1 General**

1.1.1 The objectives of the Force in moving to the new structures will be to:

- Fill posts with the most suitably qualified and experienced people
- Minimise redeployment and redundancy and retain valuable skills
- Maintain services
- Avoid unnecessary costs

1.1.2 The following will be adopted as the guiding principles:

- Staff will be treated with fairness and respect and in line with the forces values
- Staff will be supported through this period of uncertainty and change
- The views of the staff associations (i.e. UNISON, the Police Federation and the Superintendents' Association) will be sought on proposals at the earliest opportunity to ensure positive relations
- Change will be effected in accordance with employment law, including equal opportunities legislation
- Transition to the new structure will seek to create a culture of flexibility, and learning
- Processes will be open, transparent and objective
- Processes will proceed without undue delay

1.1.3. Voluntary Redundancy Scheme – This Organisational Change Procedure should be read in conjunction with the Voluntary Redundancy Scheme for Police Staff which is located at:-

[http://intranet/support/uniform\\_ops/human\\_resources/central\\_hr/gwent%20police%20staff%20voluntary%20redundancy%20scheme%20-%20v3%2010.06%202015.pdf](http://intranet/support/uniform_ops/human_resources/central_hr/gwent%20police%20staff%20voluntary%20redundancy%20scheme%20-%20v3%2010.06%202015.pdf)

1.1.4. This Policy applies to:

- all permanent staff,
- staff on fixed term or temporary contracts with 12 months or more continuous service

The policy does not apply to:

- Employees on fixed term / temporary contracts of less than 12 months duration
- Agency staff

## **1.2 Fitting into the New Structure**

1.2.1 Organisational reviews will result in changes to organisational structures, duties and responsibilities of some posts. It is the force's intention that, where possible, staff will be accommodated in the structures through the following processes:

1.2.1 As far as possible, employees will normally be placed in a new structure by:

- Slotting-in (i.e. continuing the same role performed prior to the restructure)
- Redeployment (i.e. undertaking a different role as a result of becoming "displaced" in the new structure)

## **1.3 Criteria for Slotting-in**

1.3.1 The following factors will determine whether a post in the new structure is substantially the same as an existing role:

- the post in the new structure is the same grade
- the accountabilities are substantially the same
- the skills, knowledge and experience required for the post are substantially the same

1.3.2 However, there may be occasions when slotting into a post at a lower grade will occur. However, this will only occur when the difference in grade is no more than eight spinal column points. For example, an employee originally holding a post graded PO (A) may be slotted into a post graded SO 1. However, it would not be appropriate to slot a PO (A) into a scale 5 post.

1.3.3 In addition, slotting into a higher graded post will occur where the grade of a post has increased due to a "Management Initiated Request for Regrading" (as per the Force's Job Evaluation Procedure). See Paragraphs 1.8.

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- 1.3.4 Individuals who have been seconded into posts will be considered for slotting into their substantive role. An individual will not be slotted into a role that is not their substantive post i.e. an individual seconded to a role will not be eligible to be slotted into that role.
- 1.3.5 Those who apply for secondments need to be prepared to give up their right to their substantive post if the secondment is for more than 12 months. However, where staff are seconded by the force, they will not be expected to give up their substantive post in these circumstances.
- 1.3.6 There may be occasions where the new grade following job evaluation of roles in a new structure comes out at a higher grade and where the duties are substantially the same. In these cases, and provided there is no requirement for competitive selection, the staff who substantively occupy such posts may be slotted up into the higher graded post. In such cases staff will be slotted up to the first incremental point of the higher grade.

**1.4 Automatic Slotting-in**

- 1.4.1 This will take place where the post in the new structure is the same grade and is substantially the same as the existing post in terms of job content and where the employee meets the criteria stated in the person specification

and

The number of employees affected is equal to or less than the number of posts available.

**1.5 Competitive Slotting-in**

- 1.5.1 This will take place where the post in the new structure is the same grade and is substantially the same as the existing post in terms of job content (i.e. the role description and person specification are broadly the same) and where the employee meets the criteria stated in the person specification but there are more employees affected than meet the requirements of the new post than the number of posts available.

- 1.5.2 Posts that have been identified as requiring competitive slotting-in will be restricted to staff affected, in the first instance. In order to be considered in the “pool” for competitive slotting-in, individuals must hold a role that is the same grade and similar role description. Staff will then be required to submit an expression of interest if they wish to be considered for the post. Should a selection process then be required (i.e. the number of expressions of interest received exceeds

the number of posts available), then the successful applicants will be selected on the basis of their performance at interview and the results of any other selection assessments methods used e.g. presentation. It is emphasised that successful candidates for appointment will be identified *solely* through performance at interview.

## **1.6 Redeployment**

- 1.6.1 Where an individual cannot be placed in the new structure through competitive slotting-in or the individual has chosen not to express an interest, attempts will be made to redeploy the individual in accordance with paragraph 1.11 Redeployment Interview. Those individuals may eventually be subject to redundancy.
- 1.6.2 In addition, where the requirement for a post(s) no longer exists, individuals may be identified as at risk of redundancy. Attempts will be made to redeploy these individuals.
- 1.6.3 The flowcharts at **Appendix 'A'** outline how staff may be integrated into the new structure.

## **1.7 Ring-Fenced Vacancies**

- 1.7.1 Once the slotting-in process has been completed, there may be vacant posts remaining within the new structure. Those police staff who are on the Redeployment Register will have the first opportunity to apply for these posts - i.e. the posts will be ring-fenced.
- 1.7.2 Redeployee applicants will only need to evidence skills/experience and one other in the three areas identified on the front page of the application form and are not required to submit PART C of the application form.
- 1.7.3 While any individual on the Redeployment Register may apply, prior consideration must be given to displaced individuals whose substantive post was at the same grade or a higher grade than the vacancy that is being applied for. These individuals will be interviewed first. If an appointment cannot be made from the prior consideration group, then the other applicants may be interviewed. A redeployee whose substantive grade is the same or is closest to the grade of the vacancy will be given prior consideration, e.g., a Scale 3 redeployee who applies for a Scale 3 post will be considered ahead of a Scale 4 redeployee applying for the same post. Similarly, if a Scale 4 and a Scale 5 redeployee both apply for a Scale 3 post, the Scale 4 redeployee will be given prior consideration.
- 1.7.4 Any staff who are unsuccessful in gaining a post through application to a ring-fenced vacancy and remain at risk of dismissal on grounds

of redundancy will be considered for redeployment by matching skills to any remaining ring-fenced vacancies which have not been filled.

1.7.5 Only after the selection and redeployment processes have been exhausted can the ring fenced posts be opened up for applicants throughout the force.

1.7.6. Only when no appointments are made through this process can the posts be opened up to external competition with authorisation from the Force Resource Board. Serving Police Officers may not apply for police staff posts that are advertised internally. Retired or retiring Police Officers may apply for roles which have been advertised externally.

## **1.8 Staff who are asked to take on Additional Duties and Responsibilities as a result of the Non-Filling of Vacant Posts.**

1.8.1. There may be occasions when the force will ask an individual to take on additional duties and responsibilities over and above their current role, when another member of staff leaves the organisation or department and rather than fill the vacancy, the opportunity is taken to assign the work to the remaining staff. In these circumstances there will be grounds to consider a Management Initiated Request for Regrading for the staff affected under the terms of the force's Job Evaluation Procedure provided if there is a substantial change in the level of duties and responsibilities or accountabilities of the post. This process is separate and distinct from the slotting in processes set out in previous paragraphs above relating to fitting staff into new organisational structures as a result of organisational reviews.

## **1.9 Relocation of Activity**

1.9.1 The contract of employment for all employees includes the following mobility clause:

"You are employed by The Chief Constable of Gwent Police in the post of << Post title>> or in any post appropriate to your grade. It is a condition of your employment that you may be required to work anywhere in the area of Gwent Police, that would stand the test of reasonableness, as may be directed."

1.9.2 Should the need for relocation arise then either the above clause may be applied or a redeployment process. Consultation will take place with Unison in order to determine which option is to be used.

## **1.10 Protection Periods and Redundancy Payments**

1.10.1 At the end of May 2012 Gwent Police and Unison reached a revised Local Agreement on Protection and Severance Terms, which came into effect in June 2012.

### **Redundancy Payments**

1.10.2 In accordance with Section 162 of the Employment Rights Act, for each year of service that counts, an employee will receive a proportion of weekly pay, which is determined in the following way:

Age	Entitlement
21 years or below	Half a week's pay
22- 40 years	One week's pay
41 and above	One and a half week's pay

1.10.3. Severance Terms for Police Staff who are made compulsorily redundant will be enhanced over Government statutory payments. The enhancements will consist of two elements namely:

- a) the removal of the cap on earnings limit for the calculation of a week's pay
- and
- b) the application of a multiplier of 1.85 times the statutory week's redundancy payment.

1.10.4. The maximum week's payment that will apply based on age and length of service will therefore be 55.5 weeks actual pay (i.e.  $1.85 \times 30 = 55.5$  week's pay).

1.10.5. A week's pay will be as per the statutory definition of contractual earnings for redundancy payment purposes, but with the removal of the statutory current weekly earnings cap, should actual earnings be more.

1.10.6. Previous continuous employment with an organisation(s) covered by the Redundancy Payments (Local Government) (Modification) Orders will be included in calculating entitlement to redundancy pay.

1.10.7 An employee will forfeit the right to their redundancy payment in the following circumstances:

- the employee is dismissed for gross misconduct
- they leave their employment before the Force has served notice of termination
- they leave their employment before the expiry of their notice period except where this has been mutually agreed between the employee and Gwent Police
- at the date of termination of the contract they have obtained without a break, or with a break not exceeding 4 weeks, suitable alternative employment with this or another body on the Redundancy Payments (Local Government) (Modifications) Order. A list of the organisations covered may be obtained from the HR department.

### **1.11. Redeployment Interview**

1.11.1 Any member of staff who is added to the Redeployment Register will be deemed to be at risk of redundancy. The individual will invited by their line manager to attend a meeting to discuss the implications of being on the Redeployment Register. This meeting may also be attended by a representative from the HR Department and the individual may ask a trade union representative or a work colleague to attend.

1.11.2 Staff will be asked to provide information which will assist in identifying redeployment opportunities, such as:

- Suitable geographical locations for redeployment
- Skills, training and experience
- Current grade and level of responsibility
- Type and level of role which the employee considers suitable
- Other requirements such as part-time / flexible hours / reasonable adjustments for Disability.

1.11.3 Redeployees' details will be kept on the Redeployment Register and will be advised of vacancies that arise.

## **1.12 Suitable Alternative Employment**

1.12.1 In determining whether a post offers suitable alternative employment for an individual who is at risk of redundancy, the following factors will be taken into account:

- Pay
- Status and job content
- Location
- Working environment
- Hours of work
- Security of employment (an offer of a temporary contract may not be suitable even though terms and conditions are maintained).
- Training

1.12.2 When considering disabled staff for alternative vacancies, in order to make the required reasonable adjustments and subject to individual circumstances, it may be necessary to consider a range of posts which includes posts of a higher grade. Consideration of a higher graded post may be a reasonable adjustment. The redeployed person would have to meet the essential requirements of the post but it would be a reasonable adjustment to remove minor aspects with which the individual may be unable to comply. It is not required to put a disabled member of staff through a formal interview when considering redeployment on either a lower, same or higher grade unless there are 2 disabled candidates being considered for the role.

1.12.3 It is necessary however, for an individual to meet with the line manager(s) once it is confirmed that they meet the minimum essential criteria which will have been decided once the expression of interest form has been completed. This is to ensure that the individual is fully aware of the requirements of the role and will be able to undertake it with reasonable adjustments as appropriate.

## **1.13 Administration**

### **1.13.1 General Principles**

- a) A central list of all vacancies will be maintained.
- b) A designated postholder(s) will forward information about vacancies to the individual(s) asking for confirmation that they are interested in the

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post by a specific date, prior to the post being advertised. Names of interested individuals will be recorded on the central list of vacancies.

- c) If no individuals have been identified or individual(s) contacted have not expressed an interest in the post within fourteen calendar days of notification, then the vacancy may be advertised.
- d) Where the individual meets the minimum requirements for the role or would do so following a reasonable amount of training, then an interview will be arranged. Interested individuals will be asked to submit an application for the post. The line manager of the role will determine what amounts to "reasonable training" in each case.
- f) If there is only one applicant for the post, then an "informal" interview will take place with the line manager. During the informal interview the individual will need to exhibit the minimum requirements for the post. A representative from the HR Department will also be present. However, if there is more than one applicant for the role, an interview will take place in accordance with the Recruitment and Selection Guide.
- g) If a redeployee demonstrates the requirements of the post, then he/she will be offered the role and the following will apply:
  - All terms and conditions of employment relating to the new role will be clearly provided to the individual in writing;
  - Where an employee accepts alternative employment there will normally be a 4 week trial period in the new post. This period may be extended to a maximum of 12 weeks, by agreement in writing, if such factors as training are required. During this trial period the employee will be monitored by the relevant division/department to establish the suitability of the employee for the post.

If the individual is not yet formally on notice of redundancy and the trial period does not reach a satisfactory conclusion for either or both parties, the individual will return to the redeployment pool provided that he/she had previously been on the Redeployment Register for no more than five months. Where the individual had previously been on the Register for five months or more, then the dismissal steps outlined at section 10 will be initiated.

- h) Depending on the nature of the role, candidates may need medical clearance before an offer is made. However, concerns about sickness will not be used in determining the suitability or otherwise of the redeployee for the post. If such concerns are not already being addressed, then they will be brought to the attention of the individual in line with the Force's management procedures.

1.13.2. Suitable alternative employment will be sought for up to six months from the date on which an individual's name is formally added to the Redeployment Register. In the case of fixed term/temporary staff, the period of time suitable alternative employment will be sought will not exceed the term of their employment contract. If a post has not been identified by that time, then there may be no alternative but to declare the individual compulsorily redundant or for their fixed term/temporary contract to cease.

#### **1.14. Notification of Redundancy**

1.14.1 Should it become necessary to issue a notice of redundancy, the member of staff will be seen individually by a member of the HR team. The individual is entitled to invite a trade union representative or work colleague to this meeting.

1.14.2 The dismissal will be confirmed in writing and staff will receive the appropriate period of notice (or payment in lieu of notice). The date of termination will be their last working day.

#### **1.15 Local Government Pension Scheme**

##### **Early retirement through redundancy or business efficiency**

1.15.1 If you are made redundant or you are retired on the grounds of business efficiency and are aged 55 or over, your accrued LGPS benefits are payable immediately without any actuarial reduction.

#### **1.16. Right of Appeal**

1.16.1 Should an employee feel that they have been treated unfairly during this process then they may use the Fairness at Work Procedure.

#### **1.17 Staff Support**

1.17.1 All staff affected will be offered help to prepare for competitive selection and support to manage the effects of change. Staff affected will be advised of the support available, which will include:

- Preparing an application form
- Interview preparation
- Presentation skills training
- Counselling through the Occupational Health Unit

- Welsh Government support to the Public Sector (React)

#### **1.18 Time Off to Look for Work**

1.18.1 The Force will grant employees who may be under notice of redundancy reasonable paid time off to look for new employment or make arrangements for training.

#### **1.19. Assistance in Finding Alternative Employment**

1.19.1 The Force will do its best to assist those employees under notice of redundancy by:

- Liaising with the Job Centre or employment service
- Proving practical assistance, such as access to word processing and photocopying facilities.

## **2.0 The Legal Basis and Legitimate Aims**

- 2.1 The Employment Rights Act 1996, the Employment Act 2002 (Dispute Resolution) Regulations 2004

## **3.0 Human Rights Certification of Compliance**

- 3.1 The procedure has been checked for compliance with the Human Rights Act; with particular reference to the legal basis of its precepts: the legitimacy of its aims; the justification and proportionality of the actions intended by it; that it is the least intrusive and damaging option necessary to achieve the aims; and that it defines the need to document the relevant decision making process's and outcomes of actions.

## **4.0 Compliance with The Welsh Language Scheme**

- 4.1 This procedure aims to comply with the organisations Welsh language Scheme in terms of dealing with the Welsh speaking public, impact upon the public image of the organisation and the implementation of the language scheme.

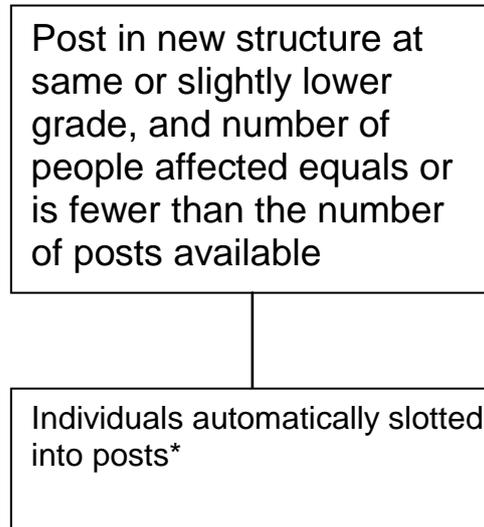
## **5.0 Risk Assessment & Health and Safety Considerations**

- 5.1 The Gwent Police Service Dynamic Assessment should be applied as necessary. A training package in the use of risk assessment will be provided to all police personnel if requested or required.

## **6.0 Identification Section**

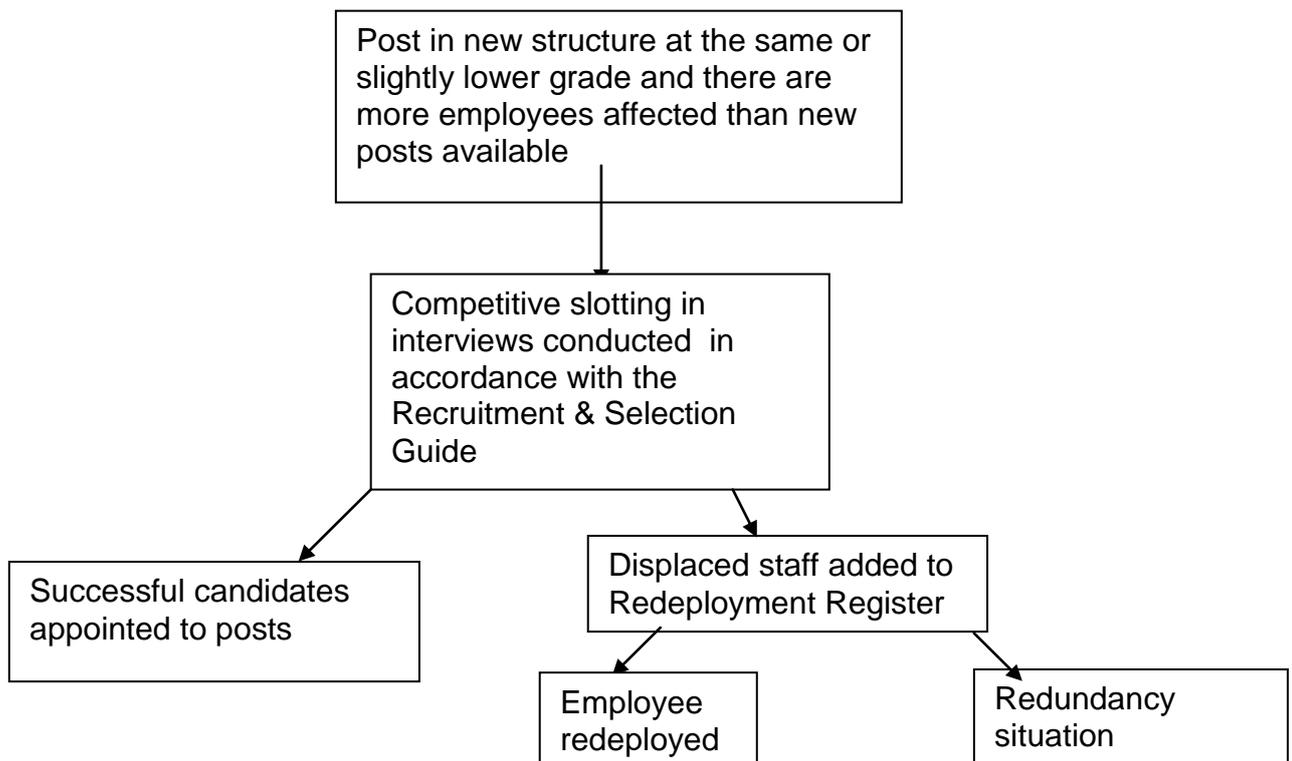
<b>Procedure Title:</b>	<b>Organisational Change for Police Staff</b>
<b>Reference:</b>	<b>102/4 b issue 6</b>
<b>Chief Officer Lead:</b>	<b>Chief Officer Resources</b>
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<b>Department Responsible:</b>	<b>Human Resources</b>
<b>Links to other Policies/ Procedures:</b>	<ul style="list-style-type: none"><li>• <b>Equal Opportunities</b></li><li>• <b>Fairness at Work</b></li><li>• <b>Freedom of information</b></li></ul>
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<b>Review Date:</b>	<b>01 June 2017</b>

**AUTOMATIC SLOTTING IN**



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**COMPETITIVE SLOTTING-IN**



\* The detriment agreement on salary protection will apply where a post is at a lower grade

**REDEPLOYMENT**

