

Integrity

Professionalism

Fairness

Respect



- Management of Change Policy and Procedure**

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P15:2006	Police Staff Redundancy and Early Termination of Employment Policy and Procedure

Suitable for Publication

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Not Protectively Marked

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1 Policy Section

1.1 Statement of Intent – Aim and Rationale

To provide a consistent approach to the management of change within Dorset Police.

This policy applies to all Police Staff employed by both the Chief Constable and Police and Crime Commissioner. Therefore, there may be occasions when the Police and Crime Commissioner requires access to specialist HR resources/skills employed by the Chief Constable to support the agreed processes.

1.2 Our Visions and Values

Dorset Police is committed to the principles of “One Team, One Vision” – A Safer Dorset for You”

Our strategic priority is to achieve two clear objectives:

- To Make Dorset Safer
- To Make Dorset Feel Safer

In doing this we will act in accordance with Our Values of:

- Integrity
- Professionalism
- Fairness and
- Respect

National Decision Model

The National Decision Model (NDM) is the primary decision-making model used in Dorset Police. The NDM is inherently flexible and is applied to the development and review of all policy, procedure, strategy, project, plan or guidance. Understanding, using and measuring the NDM ensures that we are able to make ethical (see Code of Ethics), proportionate and defensible decisions in relation to policy, procedure, strategy, project, plan or guidance.

Code of Ethics

The Code of Ethics underpins every day policy, procedures, decision and action in policing today. The Code of Ethics is an everyday business consideration. This document has been developed with the Code of Ethics at the heart ensuring consideration of the 9 Policing principles and the 10 standards of professional behaviour. Monitoring is carried out through the Equality Impact Assessment process which has been designed to specifically include the Code of Ethics.

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1.3 People, Confidence and Equality

This document seeks to achieve the priority to make Dorset feel safer by securing trust and confidence. Research identifies that this is achieved through delivering services which:

1. Address individual needs and expectations
2. Improve perceptions of order and community cohesion
3. Focus on community priorities
4. Demonstrate professionalism
5. Express Force values
6. Instil confidence in staff

This document also recognises that some people will be part of many communities defined by different characteristics. It is probable that all people share common needs and expectations whilst at the same time everyone is different.

Comprehensive consultation and surveying has identified a common need and expectation for communities in Dorset to be:-

- Listened to
- Kept informed
- Protected, and
- Supported.

2 Standards

2.1 Legal Basis

The environment is forever changing and it is, therefore, important that the way in which we work and the services we provide can be adapted appropriately to reflect the requirements of the outside world and ensure efficient service delivery.

Change is instrumental to the success of any organisation and the Force is continually reviewing the way in which it operates. In some cases restructures can create increased opportunities that enable staff to develop new skills and obtain career progression. However, change can also result in redundancies and/or negatively impact on the pay and conditions of some staff. This procedure has been designed to outline how restructures will be handled in Dorset Police and the steps the Force will take in attempting to secure employment for displaced staff in an effort to minimise the number of redundancies.

The policy meets the requirements of all relevant employment legislation; notably, the Employment Rights Act 1996; the Fixed Term Employees (Prevention of Less Favourable Treatment) Regulations 2002; the Employment Act 2008; and the Equality Act 2010.

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2.2 People, Confidence and Equality Impact Assessment

During the creation of this document, this business area is subject to an assessment process entitled "People, Confidence and Equality Impact Assessment (EIA)". Its aim is to establish the impact of the business area on all people and to also ensure that it complies with the requirements imposed by a range of legislation.

2.3 Monitoring / Feedback

The Policy will be monitored by the HR Specialist (Employee Relations)/HR Change Manager to ensure that it remains consistent with employment legislation. Compliance will be maintained as part of the HR Specialist's ongoing environmental scanning activity and as part of the normal annual policy review cycle. The HR Change Manager monitors the number staff who have been made redundant, both compulsory and voluntary, and the number of staff who have been redeployed and slotted-in through the Management of Change process. This is reported to the One Team Board.

Feed back relating to this policy can be made in writing or by email to:

Address : HR Manager, HR Change Team/ HR Specialist (Employee Relations),
Winfrith, Dorchester, Dorset. DT2 8DZ.

E-mail : joanne.manley@dorset.pnn.police.uk/ellen.jacobs@dorset.pnn.police.uk

Telephone : 01305 223764

3 Procedure Section

The objective of this procedure is to ensure that restructures are handled fairly and consistently throughout the organisation, implemented as smoothly as possible with the aim of minimising redundancies.

3.1 Scope

This procedure will apply to all police staff who are in a redundancy situation as a result of change initiated by the organisation. (This includes the non-renewal/expiry of a fixed-term contract for reason of redundancy, but not for the reason of the return to the role of the previous post holder e.g. following maternity leave). Additionally, protection arrangements are covered in respect of certain allowances; the level of protection is related to length of service and is specified later in this policy.

Dorset Police is committed to equality and diversity within its workforce and is determined to ensure that no employee receives less favourable treatment on the grounds of: age, disability, gender reassignment, marriage/civil partnership, pregnancy/maternity, race, religion or belief, sex, sexual orientation and then trade union or trade union membership/non-membership. Therefore the force will always consider issues for example: individual's religious and cultural needs when making any decisions relevant to this policy.

3.2 The Need to Restructure a Division/Department/Function

As detailed in the introduction of this procedure, the Force is continually reviewing the way in which it operates. As a result of such reviews, restructures may be necessary because of changes in demand for services, changed priorities, the need to improve efficiency or to make savings.

3.2.1 What Does a Restructure Involve?

Restructures in Dorset Police may take many different forms depending on the extent of change required. A typical restructure, however, may involve one or more of the following changes:

- ◆ Posts in a new structure may be substantially unchanged to those in the old structure and altered only slightly. Examples of alterations to a post may include a change in job title or new tasks being incorporated into the role of a similar nature to those the post holder already undertakes.
- ◆ Work requirements may substantially change to reflect changes in priority or demand and as a result new posts may need creating. The creation of new posts in this way may also mean the deletion of posts from the old structure, because the requirement for that specific role ceases to exist in the new structure.
- ◆ The location of a work activity may alter.
- ◆ The line management of a function or post may alter.
- ◆ Posts from the old structure may be deleted, without the creation of posts in the new structure, simply because there is no longer a requirement for a particular

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kind of work to continue or in the efficiency of the service the work can be successfully achieved with fewer posts.

- ◆ Working hours may change due to demand or resources, impacting on shift patterns and allowances
- ◆ A requirement to cut costs may dictate a re-engineering of the organisation that may impact on the number of staff required to perform the function.

3.2.2 The Impact of a Restructure on Staff

The impact of a restructure on staff will vary depending on the nature of the changes and may range from an individual's post changing slightly to the unfortunate position of a post becoming redundant.

It is always be the aim of the organisation to avoid redundancies. Where post numbers do need to decrease consideration should, therefore, be given to the exploration of alternatives to redundancy such as:

- ◆ Natural wastage
- ◆ Restricting recruitment
- ◆ Reducing overtime/use of agency workers/relief workers
- ◆ Voluntary transfers to part-time employment/job sharing/reduction in hours
- ◆ Voluntary periods of unpaid leave/extended leave breaks

It should be noted that if redundancies are minimised/avoided through staff agreeing to reduce their hours, salary protection arrangements will not apply to the reduction in working hours.

3.3 Consultation

Where the need arises to restructure, the first stage is to define the 'affected pool' of staff in the area concerned. This pool of staff, together with union representatives will be briefed and consulted on proposals to change the structure and jobs within it and/or the location of the activity before the recommended change is finally approved and changes implemented.

Whilst the aim will be to consult early in the process the precise timing will be decided by management after consideration of the issues specific to the case in question. As an absolute minimum all consultations will be in accordance with statutory minimum time limits if potential redundancies are involved.

3.4 Notice of Redundancy

The Force will attempt to give "early warning" of potential redundancy situations.

In adopting such an approach management are unlikely to be in a position to advise on exactly who will be made redundant and when. Careful consideration will be given to determine the appropriate 'pool' of posts from which the selection for redundancy will be made. However, once the situation does become clear relevant staff will be classified as "at risk" prior to the serving of formal redundancy notices. This is likely to be only once a business case has been approved and formal consultation has been completed. This will provide the opportunity for such staff to take advantage of the

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provisions of this policy, without committing the organisation to redundancy payments. At the relevant time individuals who are redundant will receive appropriate formal notification, including details of termination date and redundancy payment where relevant.

There may be some change programmes where it is anticipated that redundancies will occur, however, it is unknown which exact areas will be affected. In view of this consideration will be given to placing certain groups of staff 'under review' which will enable them to receive the benefits of this policy in terms of prior consideration for posts, although if they opt to accept a role protection arrangements would not apply. Therefore, it would be an individual's decision whether or not to accept an alternative role at an 'under review' stage. This status will only be granted at the discretion of the Head of Personnel Services/Director of Human Resources.

Where fewer posts exist in the new structure, staff will be written to after the process set out in paragraph 3.6 has been completed and the appropriate individuals have been identified.

Where the potential redundancy situation arises as a result of a relocation of an activity the process set out in paragraph 3.5 below will be followed.

3.5 Relocation of an Activity

Redundancy can occur not just as a result of changes to work requirements but also due to changes in the location of an activity.

When the Force relocates an activity each individual's personal circumstances will be ascertained to establish whether or not re-employment on the new site would offer suitable alternative employment. In making this decision consideration will be given to difficulties in making the new journey, caring responsibilities and any disability etc. In the case of disabled employees, the Management of Staff with Disabilities policy should also be referred to. A 'relocation of role individual consultation template' has been created to assist managers to assess such situations, a copy of this can be found on the intranet portal. Individuals will also be offered UNISON representation at any relevant meeting held to discuss this issue.

Where it is considered suitable alternative employment may be available on the new site the individual will be written to and advised of this fact and the arrangements as set out in paragraph 3.6 will apply.

If it is felt that the relocated posts do not offer suitable alternative employment the individual will be written to and advised that they are considered to be "at risk". The individual will, however, be asked to identify whether or not they will accept their relocated role as alternative employment if they are unable to obtain a more suitable post prior to the recruitment process starting for the relocated roles.

Should an individual initially decide to reject the relocated roles but then change their mind at a later date the Force cannot guarantee that they will benefit from preferential consideration as set out in this report in respect of those roles.

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3.6 Appointment to Posts in the New Structure

Individuals affected by a restructure will be appointed to posts in the new structure in the following way:

3.6.1 Unchanged Posts

Where the duties of a post in the new structure are unchanged the post holder will remain in post with no changes to their terms of employment.

3.6.2 Substantially Unchanged Posts

Where a post in the new structure remains substantially the same as it did in the old structure, the post holder will automatically be “slotted” into the post.

By substantially the same it is meant that the duties will be similar to those currently undertaken and in normal circumstances it would not involve an increase/decrease in salary grading. However, satisfying this condition does not automatically mean that a post is substantially unchanged.

Individuals affected in this way will receive written notification from the Human Resources Department of appropriate variations to their terms of employment.

3.6.3 Fewer Posts

Where there are fewer posts in the new structure, management will initially ask for volunteers for redundancy from an identified group of appropriate staff. Identification of the group will be done in consultation with union representatives. Whilst all requests from relevant volunteers will be considered there is no guarantee that all or indeed any of the requests will be accepted. Ultimately, management will determine those requests that are to be accepted by reviewing individual cases against organisational and operational considerations.

If an insufficient number of suitable volunteers are approved, a selection process will be undertaken. The Redundancy/Retention Selection Proforma and Guidance Notes will provide the basis for the selection process. This is available as Appendix 1 and is available alongside this policy on the Intranet site. However, the precise selection criteria to be used can be adapted in consultation with UNISON depending on the nature of the change/roles involved but it will normally include some/all of the following criteria:

- ◆ Performance
- ◆ Attendance record
- ◆ Discipline record
- ◆ Relevance of skill-set in new structure
- ◆ Demonstration of Force values

Further Information on the Attendance Criteria can be found on the related intranet advice page ([click here](#))

Whilst documentary evidence will normally take primacy, for example e-ppps', performance, disciplinary or attendance records etc, in some situations managers will need to make a professional judgement regarding attributes/suitability to fit within the

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new structure. In such circumstances managers will still need to be in a position to justify their decision.

The precise application of the criteria will be determined by management, in consultation with union representatives.

Staff who are selected for redundancy will receive appropriate notice or pay in lieu of notice.

3.6.4 Implementation/Eligibility to Apply

The framework detailed below highlights how staff will be considered for roles in any new structure and details their eligibility to apply.

To minimise levels of uncertainty the process will begin by determining the 'pool of affected staff'.

It should be noted that in certain change programmes it may be necessary to introduce new line management structures ahead of developing the detailed business case. If this is deemed necessary, the moves will be considered temporary until the detail of the change has been fully developed and meaningful consultation with staff representatives undertaken.

Once a detailed business case has been agreed the following stages will be followed in turn until such time as all posts in the new structure are appointed to:

- Stage 1 Slotting in process takes place for those who will be undertaking unchanged / substantially unchanged roles.
- Stage 2 Staff 'at risk', within the agreed pool, who are on the same grade or higher than the relevant post in the new structure become eligible to apply.
- Stage 3 Staff 'at risk', within the agreed pool, who are on a lower grade than the relevant post in the new structure become eligible to apply

AND

Staff 'at risk', across the whole organisation who are on the same grade or higher than the relevant post in the new structure become eligible to apply

- Stage 4 Staff 'at risk' across the whole organisation who are on a lower grade than the relevant post in the new structure become eligible to apply
- Stage 5 Staff in areas that have been formally agreed as being 'under review' become eligible to apply
- Stage 6 Vacancy is opened to all relevant staff to apply

In assessing the suitability of displaced staff, consideration will be given to retraining. The extent to which training can be taken into account will depend on a number of factors, including length of training and impact on operations in the short term.

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Appointments of displaced staff will be defined as redeployment and such staff securing posts will receive written notification regarding their redeployment, relating to changes to their terms of employment, protection arrangements if appropriate and trial period. Details regarding trial periods and protection arrangements can be seen in the paragraph “Offers of Redeployment”.

It is recognised that in times of organisational change normal recruitment processes can add to uncertainty and stress for staff. In order to overcome this situation the following Express Recruitment Process will be utilised:

- ◆ The HR Change Team/HR Business Support Team will slot in any individuals whose post has been determined as unchanged/substantially unchanged.
- ◆ Expressions of interest will be sought from the remaining eligible staff from the affected pool as outlined in stages 2 – 5. Where the manager is content that the expression of interest represents a suitable fit for the new role direct slotting in can occur. This would be when there is clearly only one suitable candidate.
- ◆ Where it becomes necessary to make an appointment on the basis of a selection process each individual will be required to submit written evidence as to how they meet the criteria for the role and appointments will be made via paper sift. Interviews will only be held if deemed necessary by the relevant manager
- ◆ If it is evident from the outset that a paper sift exercise is unlikely to be sufficient for the manager to make a selection then the normal recruitment process may be followed.

3.7 Redundancy

Employees who still remain displaced following these processes are technically redundant with effect from the date specified in their “Notice of Redundancy” letter or in the case of fixed-term employees, from the date that the fixed term contract is due to end/ends.

For fixed-term employees, once it is known that the contract is not likely to be renewed or funding will cease from a certain date in the future, individuals will be given a maximum period of 3 months ‘at risk’ status, prior to the end date of their existing contract. In some circumstances it will not be possible to give the maximum period of notice, therefore individuals will receive the ‘at risk’ status for the period of their contractual notice.

When the organisation restructures for economic reasons, there may be some doubt as to whether the precise legal definition of redundancy has been met. Recognising the uncertainty this can create for staff and the potential impact on overall morale, the Force will deal with all such cases as though it were a redundancy.

Any decision regarding early termination of employment, including access to related pension benefits, will require the approval of both the Director of Human Resources and Director of Finance. For the purposes of this policy the collective term ‘Employer’ will be used.

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3.7.1 Maternity Leave – Redundancy

If a member of staff is on maternity leave (or paternity or adoption leave), they will be initially placed with other employees' in the pool for selection of redundancy. If the employee's substantive role does not feature within the new structure, they must be offered a suitable alternative vacancy if there is one available. Legislation determines such an employee should be treated **more favourably** than an employee in the same position who is not on maternity/paternity/adoption leave. Hence, the employee who is on maternity/paternity/adoption leave would be offered the suitable alternative role ahead of another employee who is not on maternity paternity/adoption leave, even if the other employee is better qualified for the role. This also applies to employees' who are on additional paternity leave (APL).

If an employee becomes eligible for salary protection under this policy and then takes maternity leave during the pay protection period, the protection will be frozen as follows:

- a) If an employee elects to receive the 12 weeks @ half contractual maternity pay, which follows on from the first six weeks of 90% of contractual maternity pay, then the payment protection would be frozen after the first 18 weeks of maternity leave until the employee returns to work.
- b) If an employee does not receive the 12 weeks @ half contractual maternity pay, pay protection would be frozen after the initial six weeks of 90% of contractual maternity pay, i.e. after the first six weeks of maternity leave until the employee returns to work.

For those employees taking adoption leave and who are eligible for salary protection, the protection will be frozen for the duration of the Statutory Adoption Pay period and any statutory unpaid period until the employee returns to work.

For those taking adoption support leave or paternity leave and who are eligible for salary protection, the protection arrangements will be frozen for any statutory periods of adoption support or paternity leave taken.

The revised end date for the pay protection period will be recalculated upon an individual's return to work and communicated in writing.

3.7.2 Assistance

Where necessary, an employee who is made redundant will be offered support, from a member of the Human Resources Department during their notice period.

Assistance can be provided with application forms for alternative employment; help with the design of CVs, mock interviews, and advice on where to look for jobs etc.

Should staff require such assistance, they should make contact with the HR Change Team or the HR Business Support Team.

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3.7.3 Time off from Work

Reasonable time off from work with pay will be granted to an employee who has been given notice of redundancy, to enable them to seek alternative employment.

3.7.4 Costs waived by the Dorset Police

When an employee leaves the Force's employment of their own accord, there may be associated costs such as surrender of a lease car or repayment of relocation and travel expenses. In cases of redundancy, however, the Force will waive such costs.

3.7.5 Level of Redundancy Payment

Redundancy pay will be calculated in accordance with the adopted policy of the Force.

3.8 Assistance in Finding Alternative Employment/Redeployment

If an employee does not secure a position within the affected area (or if a fixed-term employee is deemed 'redundant') they will be provided with the support and protection arrangements, as specified below, in order to assist them to find alternative employment.

To ensure that disabled employees are not disadvantaged, the Management of Staff with Disabilities policy should also be referred to.

3.8.1 Employees with less than 2 years service (12 months if appointed prior to 6 April 2012)

Employees with less than 2 year's service (12 months if appointed prior to 6 April 2012) will be eligible to apply for permanent and fixed-term vacancies which are advertised ie within the force's vacancy bulletin (General Orders)/intranet portal.

Normally, permanent employees are not eligible to apply for other posts within their first six-months of employment; however this rule does not apply if the individual is deemed 'at risk' of redundancy.

In such cases employees will still need to meet the relevant criteria for the post and any selection will be held in competition with others.

3.8.2 Employees with 2 years' service or more (12 months if appointed prior to 6 April 2012)

Employees with 2 years' service (12 months if appointed prior to 6 April 2012) (or more) will receive details of all vacancies which may arise during their notice period. Assistance and support will be provided by the HR Change Team/HR Business Support Team. However, if the Force is undertaking a large scale restructuring programme, staff will be advised where they can access vacancies. When applying for posts special provision will be made to allow employees who are applying for a job at the same or lower grade to be given first opportunity to be considered for the vacancy.

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In such cases employees will still need to meet the relevant criteria for the post to be successful in an appointment and this will be assessed by way of a papersift exercise and/or an interview.

Meeting the essential criteria generally means that the employee is rated as 4 (evidence provided by the candidate is sound, indicating an acceptable level of competence) on the Applicant Summary Record for all essential criteria. An employee that meets this standard will be offered the appointment without consideration being given to any other applicant. However, consideration must also be given to retraining an employee where it is considered that they have demonstrated a shortcoming in one or more area. In these circumstances the test as to whether a role should be offered will be one of reasonableness taking into account a number of factors including the extent of the shortcoming, the length and type of training provision required and the impact on service delivery in the short term.

For higher graded posts special provision will be made to guarantee staff an interview subject to them meeting the necessary criteria that are identified to the post in question but the interview will be held in competition with others.

Where there is a larger scale restructure that creates a 'pool of staff' reference should be made to section 3.6 which highlights how staff will be considered for roles in terms of slotting in and eligibility to apply.

3.8.3 All Employees

A displaced member of staff who successfully secures a post in the organisation during their notice period will be technically redeployed and the offer of redeployment will include the arrangements covered in paragraphs 3.10 and 3.11, if appropriate.

3.9 Secondments/Attachments

Employees who are deemed 'at risk', under the Management of Change Policy are eligible to apply for fixed-term contracts. However, individuals in these circumstances must be aware that once they receive their official redundancy notice, acceptance of a fixed term contract or permanent position will be considered as a suitable alternative employment and the individual will no longer be deemed as 'at risk'. This would potentially involve giving up rights to redundancy payment.

If a role covered by a secondment is deemed 'at risk', the individual will revert back to their substantive post.

Where an individual is seconded to another role but their substantive role becomes 'at risk' their position with regard to that substantive role will be determined by application of this policy. Should the individual ultimately be deemed redundant from their substantive role then their secondment will cease as there is no substantive role from which to release the individual.

The Force reserves the right not to offer a temporary/fixed term appointment to any employee who has either been notified as being 'at risk', or who could potentially be considered 'at risk' in the foreseeable future.

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On occasions Dorset Police may temporarily move staff by way of a secondment/attachment. It is important to remember that protection under the Management of Change Policy only applies in respect of an individual's substantive role.

3.10 Offers of Redeployment

3.10.1 Trial Period

An offer of redeployment will always include a trial period. The trial period is to allow time for the employee to decide whether they feel the post is a suitable alternative to the one they previously occupied and for management to decide whether or not they feel the employee is suited to the post.

A trial period will be for a minimum of one month and will start from the day the employee commences work under the new contract, following the termination and expiry of the previous contract. The trial period may be extended beyond the minimum of one month for purposes of retraining.

The case may occur where management agrees for an employee to commence in their redeployed post before the date that the contract of their substantive post is to be terminated. In such cases the employee will be seconded to the new job under their existing contract. Under this arrangement acting up allowances will be paid in appropriate circumstances.

3.10.2 Retraining

Where it has been agreed retraining is necessary, a structured training programme should be identified for the duration of the trial period.

3.10.3 Progress Reviews

During the trial period progress reviews should take place on a regular basis and the focus of the reviews should be to iron out any potential problems and for both sides to discuss how the trial is working.

3.10.4 Termination of employment from either side during or at the end of a trial period

If during or at the end of the trial period the employee finds the post unsuitable or the Manager feels they are unsuitable for the post, the employee will return to at risk status under the terms and conditions of the substantive post held prior to redeployment or where relevant will be considered as having been dismissed for redundancy on the day that their substantive contract expired. The employee will receive the appropriate redundancy payment or where relevant can attempt to secure an alternative post using the support arrangements/limitations set out in this policy. However, in cases where the employee finds the post unsuitable this will be conditional upon the organisation accepting that there are suitable grounds for rejecting the position.

In the case of a further suitable alternative being sought the employee will either continue to carry out activities within the department they were redeployed to, or if this is not practicable, the HR Business Support Team will assist the individual in

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identifying suitable work commensurate to their grade which can be undertaken in the interim.

3.10.5 **Applying for posts following the termination of the substantive contract**

Once an employee has accepted an alternative post, or has been made redundant, any application for a further post in the organisation will be considered in the same way as any other individual seeking alternative employment within the organisation. Any appointment will be subject to normal terms and conditions of employment, thus, the protection arrangements set out in this section will not apply.

Provision does exist for allowing protection in cases where the offer of alternative employment occurs within four weeks of the termination of the substantive contract where the individual has been made redundant.

3.10.6 **Salary**

Where an employee is redeployed to a post, which is the same job evaluated grade as their redundant post, no change will be made to their salary.

3.11 **Protection Arrangements**

The protection arrangements specified below will only apply to employees who have 2 years' service or more.

Employees who are redeployed to a post which is of a lower job evaluated grade to their current substantive role will be granted protection on the following basis:

- ◆ The employee will receive protection for up to a maximum of two grades higher than the post they are redeployed to, not exceeding their current salary.
- ◆ The employee will be granted this protection for a maximum period of three years; the first two years will be at 100% level of protection followed by year three at 50% level of protection.
- ◆ During the protection period no increments or annual pay awards will be applied to the salary during that time. After the period of protection the post will revert to the evaluated grade.
- ◆ It should be noted that staff who are redeployed to a lower graded post which attracts an allowance i.e. shift allowance, weekend enhancements, etc should not gain financially by receiving salary protection. Protection is only in place to bridge the gap in salary where a person is redeployed to a lower graded post and is aimed at helping to avoid hardship. Employees who increase their hours or receive an upgrade as part of the restructure would not be eligible to also claim excess travel costs in these circumstances.

3.11.1 **Allowances**

A restructure may impact on allowances, eg shift allowances, standby, irregular hours allowance. Operational demand, revised national terms and conditions (PSC) or other

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such circumstances may also impact on working hours, which may change and as a result involve a reduction/removal of allowances.

In circumstances where there is an operational/business requirement to reduce or remove a shift or other allowance paid for the performance of particular duties (not subsistence or travel), 6 months protection at 100% and 3 months at 50% will apply. The protection period will commence from the effective date that the change will take place. However, if the circumstances are imposed by national change then the protection period may be determined by the governing body e.g. Police Staff Council/Regional Programme Board. This protection will only apply to the hours an employee is contracted to work prior to the restructure. Shift allowance/enhancement protection will not apply to any additional hours worked/contracted following the restructure.

The calculation of enhancements is made by averaging out all enhancements paid over the previous 12 months, this takes into account irregular payments such as bank holiday allowances. This average calculation is the sum that will be paid for the first 6 months, and will then be reduced by 50% for the final three months.

In situations where allowances or enhancements have been reduced the difference between the calculated 12 month average amount and the new monthly amount will be payable.

3.11.2 **Leave**

An employee's leave entitlement will be reduced with effect from the start of the next leave year when they are redeployed to a lower graded post that attracts a reduced leave entitlement.

3.11.3 **Lease Cars**

An employee who has a lease car and is redeployed into a post without such a provision, will continue to retain their car until the end of the lease. No further lease contract will be provided after that date.

3.11.4 **Travel Allowances and Travel Time**

There will be an entitlement to reimbursement of the additional cost of travelling to the new centre of duty (where this exceeds a minimum of £2.91 per week, currently) for a period of up to 12 months. Further details are contained within the guidance notes – Information on Travelling Expenses and Time for staff Whose Centre of Duty Changes during a Restructure. This can be accessed via the Management of Change Site on SharePoint. However, it should be noted that if you receive assistance from your employer towards travel costs, this is classed as a taxable benefit; therefore advice should be sought via Finance/HMRC for further details.

No travelling time will be allocated to individuals who incur greater travelling time than that which is currently taken.

It should also be noted that additional costs incurred for reasons such as car parking, changing a method of travel will not be paid (unless the individual can currently walk to work and due to the relocation would have to travel by car/public transport).

Not Protectively Marked

3.11.5 Employees leaving the Force due to Redundancy

An employee who is accepted by the organisation as a volunteer for redundancy or who is unable to find redeployment during their notice period will be dismissed from Dorset Police on the grounds of redundancy on the date specified in the "Notice of Redundancy" letter.

Before the employee leaves the Force's employment, they will be seen by Human Resources to talk through issues such as the collection of the redundancy payment, pension, ID cards etc.

3.12 Appeals Process

As detailed within paragraph 3.3 of this policy, consultation will take place prior to any restructure or relocation of activity. Individuals will have an opportunity to raise areas of concern at this stage.

Individuals who wish to appeal against the application of any element of this policy (eg decisions linked to identification of the 'pool', the 'slotting in' process, suitable alternative posts etc.) can appeal under the following criteria:

A perverse decision has been made; and/or
An abuse of the process has occurred.

Notification of appeals should be made in writing to the HR Change Team/HR Business Support Team/Head of Personnel Services. Appeals must include a statement containing the grounds of appeal under one or both of the above criteria.

A separate appeals process exists for appeals against the selection for redundancy. Further details are contained within the guidance notes linked to the Redundancy Retention Assessment Proforma; this can be accessed via SharePoint or by following this link: [Retention Assessment Proforma](#). Following the process for Redundancy Selection, an Appeal Panel comprising of a UNISON Representative in an observer category, HR Change Team/HR Business Support Team Manager and Head of Personnel Services/Personnel Manager will assess each appeal and determine if it should be upheld or rejected. The decision of the panel is final and the redundancy will then be progressed to seek approval and issue the redundancy notice.

4 Consultation and Authorisation

4.1 Consultation

Version No:	Name	Signature	Date
Police & Crime Commissioner			
Police Federation			
Superintendents Association			
UNISON			
Other Relevant Partners (if applicable)			

4.2 Authorisation of this version

Version No:	Name	Signature	Date
Prepared:			
Quality assured:			
Authorised:			
Approved:			

5 Version Control

5.1 Review

Date of next scheduled review	Date: 23 December 2014
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Not Protectively Marked

5.2 Version History

Version	Date	Reason for Change	Created / Amended by
1.0		Initial Document	
1.1	Sept 2003	Update in accordance with legislation	Miss J Wells
1.2	May 2004	Inclusion of protection for allowances	Mr P Channon
2.0	July 2004	Update / Review	Miss J Wells
2.1	Nov 2004	Reformat	Ms M Ashdown
2.2	Feb 2006	Reformat (new template)	Miss S Pemberton
2.3	June 2006	HR Designation Changes	Mr S Hounsell
2.4	Feb 2007	Changes to support and protection to allow the inclusion of Fixed Term employees	Mrs N Anderson
2.4	Aug 2010	Fit for purpose review	Ms E Jacobs
2.5	Dec 2012	Changes to salary protection arrangements, redundancy selection criteria and other minor amendments/clarity of processes	Miss J Wells
2.6	Nov 2011	Minor correction to Appendix 1	Miss J Wells
2.7	Nov 2013	Minor Amendments to para 3.12 – Appeals Process, plus clarification for employees on maternity leave – para 3.7. Amendment of service requirement for support in line with changes to qualifying periods for unfair dismissal – 3.8. Clarification on calculation of enhancements – 3.11 Clarification on circumstances when trial periods fail- 3.10.4	Mrs J Manley
2.8	March 2014	Addition of paragraph into section 1.1 relating to stage 2 police staff transfer. No other changes	Mrs J Manley
2.9	3/9/14	Minor amendment to para 3.7	Emma Evans
2.10	18/11/14	The policy has been reviewed in preparation for NICHE implementation (April 2015), no changes necessary	Policy Co-ordinator (6362)
2.11	24/2/15	Under section 3.6.3 the 3 rd paragraph has been replaced with Attendance Criteria update	Policy Co-ordinator (6362)

5.3 Related Forms

Force Ref. No.	Title / Name	Version No.	Review Date
MoC 3	Redundancy/Retention Assessment		

5.4 Document History

Present Portfolio Holder	Mr G Smith
Present Document Owner	Mr P Channon
Present Owning Department	Human Resources
Details only required for version 1.0 and any major amendment ie 2.0 or 3.0:	
Name of Board:	
Date Approved:	
Chief Officer Approving:	

Template version January 2013



Ref: MoC 3

(APPENDIX 1 – Management of Change Policy)

Redundancy/Retention Assessment

IMPORTANT: Please refer to guidance notes and HR Change Team/HR Business Support Team prior to completion of assessment

Name/Collar No of Employee			
Post & Post No:		Division/Dept:	

Assessment levels 1 – 3 to be completed by the agreed Lead Manager in consultation with the HR Change Team/HR Business Support Team.

LEVEL 1 ASSESSMENT – Future relevance of skill set

<i>In order to complete this section the Lead Manager has the option to request the affected individuals submit written evidence based on the criteria within the person specification of the specific post.</i>		
Does the individual have appropriate skills relevant to the roles that will be available within the section/department?	YES	NO
If NO – provide details to justify redundancy selection based on skill set.		

LEVEL 2 ASSESSMENT – Performance and Attendance

1. Professional & Personal Portfolio (PPP)

Behaviour	Recorded Not Yet Competent at last PPP
Points Recorded	- 1
Personal Responsibility	
Planning & Organising	
Problem Solving	
Maximising Potential	
Strategic Perspective	
Effective Communication	
Respect for Race & Diversity	
Totals	

Not Protectively Marked

2. Performance -

Performance Support Procedure	In First Formal Stage	In Second Formal Stage
	- 3	- 5

3. Attendance Record

Criteria	Bradford score 250-499 or 5 + Absences in 12 months	Bradford score 500 – 999 or 10 + Absences in 12 months	Bradford score 1000 +
	- 1	- 3	- 5

NB: Bradford factor scores exclude absences that are related to pregnancy/maternity, disability, injury on duty or third party injury claims. To ensure consistency scores must be assessed on the same agreed date and must be checked and ratified for accuracy by HR Change Team/HR Business Support Team.

4. Disciplinary Record

Disciplinary Sanction	Warning Level		Demotion or Transfer
	Written	Final Written	
	- 3	- 5	- 5

LEVEL 2 ASSESSMENT SCORE

LEVEL 3 ASSESSMENT – Management Assessment

Linked to Dorset Police Values and Rights and Responsibilities of staff

Lead Manager's assessment of staff member			
Points Awarded	0 Unsatisfactory	1 Satisfactory	2 Exceptional
Adaptability and openness to change			
Customer focus			
Impresses with enthusiasm and delivery			
Maintains positive and professional outlook			
Team player			
Totals			

LEVEL 3 ASSESSMENT SCORE

Not Protectively Marked

Form Completed By

Lead Manager Name _____

Collar No _____

HR rep _____

Collar No _____

Date _____

FINAL CONSIDERATION – Financial Approval

To be completed by the HR Change Team/HR Business Support Team

NB: This section will only be used for selection where Level 1, 2 & 3 have not identified required reductions.

Financial consideration

Details of financial impact upon the organisation in terms of redundancy/severance		
Financial recommendation	Approved	Not approved

GUIDANCE

Management of Change – Redundancy / Retention Selection

The Management of Change Policy details the process that will be followed when there are fewer posts in a new structure after volunteers for redundancy have initially been requested and considered from the appropriate group of affected employees.

A Redundancy and Retention Assessment form (MOC3) will be completed for each employee in the affected group. The overall affected group may include various affected pools of staff. The assessment forms should be completed by the same Lead Manager as agreed by the HR Change Team/HR Business Support Team to ensure the process is applied consistently. The Lead Manager will undertake the assessment in consultation with the HR Change Team/HR Business Support Team and may also consult with Section Managers in completing the assessment.

Selection will be based on four individual assessment levels for all employees within the affected group.

- Level 1 – Future relevance of skill set
- Level 2 - Performance and attendance
- Level 3 - Management Assessment
- Final Consideration - Length of service and financial approval

Selection for redundancy can be made at each Level until the required number of employees is achieved. For example if 10 staff are required to be recommended for redundancy and only 1 is not considered to have relevant skills at Level 1 Assessment – then Level 2 Assessment will need to be assessed with a view to selecting 9 - followed by Level 3 – until the required number is achieved. Each assessment level is individual and Level 2 and Level 3 scores will not be carried forward or added together.

The Lead Manager must complete Level 1, 2 and 3 for each employee. Emphasis will be on the Lead Manager to continue the process, considering appeals at each level, to achieve the required overall reductions.

Final Consideration will be completed by the HR Change Team/HR Business Support Team in liaison with Head of Finance.

Level 1 – Future relevance of skill set

The assessment will be an objective selection based on skill set relevant to the roles that will be available within the section/department. This will help to ensure the retention of a balanced workforce appropriate to the future needs of the business. The Lead Manager will select Yes or No. If No – The Lead Manager will be recommending for consideration of redundancy based on skill set but must evidence why the employee falls to this category. *In order to complete this section the Lead Manager has the option to request the affected individuals submit written evidence based on the criteria within the person specification of the specific post.*

Level 2 – Performance and Attendance

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1. Professional and Personal Portfolio (PPP) – Not Yet Competent

This section will be used to record Not Yet Competent assessments at last PPP. A score of -1 will be recorded per behaviour.

2. Performance Support Procedure

This section will record employees who are subject to Formal Stages of Performance Support Procedure. – 3 will be recorded for First Formal Stage / - 5 for Second Formal Stage. This information should be collated in liaison with the HR Change Team/HR Business Support Team to ensure accuracy of information.

3. Attendance Record

This section will record employees' Bradford Factor Score as follows:

- 1 for score 250 – 499 or 4+ absences in 12 months
- 3 for score 500 – 999 or 10+ absences in 12 months
- 5 for score 1000 +

The calculation of these Bradford factor scores will exclude absences that are related to pregnancy/maternity, disability, injury on duty or third party injury claims. To ensure consistency scores must be assessed on the same agreed date and must be checked and ratified for accuracy by the HR Change Team/HR Business Support Team.

4. Disciplinary Record

This section will record current disciplinary sanctions as follows:

- 3 Written Warning
- 5 Final Written Warning
- 5 Demotion or Transfer

NB: Only disciplinary sanctions that remain current on the employee's file will be considered – all expunged sanctions will be disregarded.

5. The Lead Manager has discretion to remove an employee selected at this stage for redundancy if there is exceptional reasoning/evidence to do so.

Level 3 – Management Assessment

The Lead Manager will undertake an assessment of the employee in terms of how they meet the Dorset Police Values and Rights and Responsibilities of staff. Points will be awarded 0 – Unsatisfactory, 1 – Satisfactory, 2 – Exceptional.

Employees with the lowest scores will be considered for selection for redundancy. If an employee scores exceptional in majority/all categories, they are likely to be selected for retention.

Final Consideration/Financial Approval

If Levels 1 – 3 have not provided the required number of employees recommended for redundancy the final consideration will be used for selection based on financial impact upon the organisation. All employees recommended for redundancy at Levels 1, 2 and 3

Not Protectively Marked

will require financial approval. This section will be completed by the HR Change Team/HR Business Support Team in consultation with Head of Finance.

Recommended Selection of Employees Recommended for Redundancy/Retention

At the conclusion of the process the HR Change Team/HR Business Support Team will review all forms to ensure the process has been administered correctly and accurately. Once the HR Change Team/HR Business Support Team are content with the recommended outcome all employees will be advised of whether they have been recommended for redundancy or retention. Employees will be advised in writing of the recommendation and details of the Appeals Process.

Appeal Process

An employee has the right of appeal against selection for redundancy at any level. If an appeal is upheld on basis of selection for redundancy at a particular level, the employees score at the next level will then be considered.

Appeals will be on the grounds of a Perverse Decision and/or Abuse of the Process and must be received on Form MOC3a by the HR Change Team/HR Business Support Team within 5 days of notification of selection for redundancy. An Appeals Panel will consider all appeals. The Panel will consist of Senior HR Manager or Chief Officer, Member of the HR Change Team/HR Business Support Team and a UNISON representative in an observer capacity. The same panel will consider any appeals made within the same affected group.

Due to employees right to appeal at each level communication to the entire group of staff should be carefully managed as those initially not selected maybe reconsidered if appeals are upheld.