



BRACKNELL FOREST COUNCIL
ORGANISATIONAL CHANGE POLICY-
SCHOOLS

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BRACKNELL FOREST COUNCIL'S ORGANISATIONAL CHANGE POLICY FOR SCHOOLS

1. Introduction

- 1.1. Bracknell Forest Council is committed to treating all their staff fairly and equitably and improving the working lives of all staff (full time, part time or job share) regardless of gender, race, disability, sexual orientation and gender identity/gender expression, age, or personal circumstances.
- 1.2. A time of change can be disruptive for staff and involves changing working practices and, in some cases changing environments.
- 1.3. This policy aims to set out the main steps to be taken in an organisational change process and provide useful information for managers and staff.

2. What constitutes change?

- 2.1. Change is constant within all work environments. Some reasons for change are listed below – however it should be noted that this is not an exclusive list and should only be referred to as examples:
 - Change to job description and duties
 - Reduction in the number of posts due to service reviews or redesigns
 - Reduction in the number of posts due to financial pressures
 - Change to working hours and patterns to enable business needs to be met efficiently and effectively
 - Change to place of work and/or service delivery
- 2.2. Each Organisational Change situation will be unique. However, there will be some common elements to managing the change which will be outlined in this document. The policy is not intended to cover all eventualities; Managers responsible for the proposed change will be expected to work within the policy guidelines and ensure the most reasonable approach for staff and school needs is taken.
- 2.3. Whilst the school aims to manage and reduce the number of change programmes for staff, change is a necessary part of the challenge to continually review and improve how we provide a good quality education to our pupils.

3. Planning to minimise the impact

- 3.1. Where organisational change is necessary, through consultation and discussion, the school will endeavour to find ways to minimise the impact on individuals. Managers responsible for the proposed change will therefore be expected to consider measures to minimise the impact on staff and business need, including but not limited to:
 - the use of natural wastage/turnover
 - restrictions on recruitment and the use of temporary/casual/fixed term contracts
 - termination of relevant temporary posts

- offering retraining and/or re-deployment to staff who are potentially 'at risk'
- considering applications for reduction of hours and/or re-organising work patterns or working hours

4. Principles of Organisational change

- 4.1. The school aims to minimise the pressure inevitably incurred during a change process. Managers should engage in active communication and consultation throughout the process to allow staff to discuss their opinions, concerns and seek clarity.
- 4.2. The School's HR team will be able to support headteacher/senior leaders through change processes. However, headteachers should lead change programmes in their school in liaison with their governing body and the recognised Union Representatives where relevant. It is imperative to engage HR as early as possible in the planning of change to ensure all staff factors and impacts have been considered to facilitate successful embedding of any change going forward.
- 4.3. This policy applies to all positions within the school.

5. Roles and Responsibilities

The key responsibilities are as follows:

5.1. Governing Body

- To establish procedures for handling organisational change
- Be fully aware of their responsibilities under employment law (with guidance from the school's HR provider)
- To consider and approve proposals put forward by the headteacher for staff consultation, as part of the planning process for the change
- Where necessary to establish a redundancy panel and redundancy appeal panel (if required). The panel must consist of three governors (A redundancy panel will be required where it is not possible for the headteacher to make a decision to dismiss)
- To provide support to the headteacher through the process

5.2. Headteachers

- To lead the organisational change process, following approval from the governing body
- To ensure the change process is implemented in accordance with this policy
- To be responsible for making decisions on any required redundancies as a result of the structure change
- Seek advice from the school's HR provider at the earliest opportunity

5.3. Local Authority

- The school's HR provider will provide advice and support through the process
- Work with school to ensure engagement with Trade Union representatives
- Attend meetings related to the dismissal of any staff member and offer advice, in accordance with the LA statutory responsibilities

6. Engagement and Consultation

- 6.1. Engagement – sometimes referred to as 'Informal Consultation', is a frequently referenced term within a change process. For clarity and in line

with employment law, all consultation is formal. Engagement is optional, and where it takes place would be any activity and communication with staff that happens prior to starting the formal consultation process, using various formats, such as; meetings, sharing of documents, workshops.

- 6.2. Once consultation commences, it should involve meetings with teams or individuals that are directly affected by the proposal. Where redundancies are proposed, one to one consultation meetings should be offered to any staff potentially at risk or whose post is proposed to significantly change.
- 6.3. A record of the consultation meeting should be taken. Consultation may also involve emails and team newsletters to ensure communication is maintained throughout the process. Where staff are absent due to sickness, maternity, secondments, non-working days etc, every effort should be made to involve them in the consultation process.
- 6.4. Consultation documentation and other communication to be shared with staff should be written in plain English and avoid the use of jargon.
- 6.5. Documentation may include:
 - The rationale for the change proposed and any objectives (including financial savings) that are being sought as a result of the change.
 - Any training and development required to embed change and potential costs.
 - Current and proposed organisational charts highlighting at risk, changing, new and unchanged roles.
 - Job descriptions and person specifications for the roles in the new structure
 - Outline of the proposed implementation process, i.e., slot ins, expressions of interest, open applications or criteria-based selection (if used criteria should be clearly stated as well as the assessment weighting).
 - The timetable for the proposed change and points of contact for staff.
- 6.6. Relevant information on redundancy payments and pension payments should be shared with individual staff members who are potentially at risk of redundancy, so that they can understand the potential impact on them as individuals. (HR will support with acquiring this information.)
- 6.7. There are no set timescales for commencing engagement, in fact the earlier you can engage staff and Unions on the reasons for potential changes the better. In some cases, this approach may help to identify solutions that could avoid the need for major organisational change.
- 6.8. The timescale for consultation, once engagement and planning have been completed and authorisation to proceed to consultation has been given, will depend on the change being undertaken. The timing of launching consultation should take into consideration service demands and school holiday periods.
- 6.9. To minimise the impact on staff involved and service demand, consultation periods in normal circumstances should be no more than 30 calendar days – but could be considerably less. Where there are 100 or more staff affected, in normal circumstances a reasonable timescale would be 45 calendar days. These timelines are in line with statutory and ACAS guidance.
- 6.10. If changes are made to the original proposals following consultation, staff should be informed of the changes and given the opportunity to raise any final questions or concerns before implementation commences.

- 6.11. Local trade union representatives should be invited to comment on proposed change as early as possible within the engagement activity and as part of the consultation process.

7. Implementation Process

7.1. Posts proposed to be Significantly Changed or Deleted

Where roles are proposed to significantly change or be deleted, there are several possible outcomes which may avoid employees becoming at risk of redundancy following the consultation process:

7.2. Suitable Alternative post

A member of staff may be slotted-in to a post which is assessed as a suitable alternative within the revised structure. A suitable alternative post would be a post which is largely unchanged and takes account of the following:

- how similar the work is to the role being made redundant
- the terms of the job being offered, e.g. fixed term
- their skills, abilities and circumstances in relation to the job
- the pay (including allowances), status, hours and location
- the level of responsibilities
- the number of available posts compared to the number of staff

7.3. Agreed alternative posts at same grades

A member of staff who is potentially at risk of redundancy under the change proposal may express an interest in a role, within the revised structure, at their current pay grade within or following the consultation process – staff must evidence how they match the essential criteria to fulfil the role they express an interest in.

However, if the change proposal is offering an open application process to all staff potentially affected, staff can apply for roles for which they meet the essential criteria regardless of grade.

7.4. Potential reasonable alternative posts at lower grades

Where there is up to a two-grade difference to an agreed alternative, the principles above apply, and salary protection for 18 months will be offered.

7.5. Potential reasonable alternative post at higher grades

Where a post is graded higher than the current post, a member of staff should be considered as part of an application and interview and selection process.

8. Redeployment and At Risk Trigger

- 8.1. Following consultation, any staff member who has not been confirmed in post under the implementation process (paragraph 7) will be classified 'At Risk'. At Risk is the term applied to any member of staff whose post has been deleted or significantly changed and for whom no suitable or agreed

alternative post has been identified. At this point staff will be issued with an At Risk letter which will include redundancy figures and pension figures (where relevant).

- 8.2. Formal notice of redundancy will be issued to staff by HR/the school which will trigger the formal redeployment support period. Notice periods are dependant on the terms of the contract of employment.
- 8.3. Redeployment support will involve a meeting between HR and the headteacher/senior leader and the employee to explore the individual's skills, experience, and abilities. Both parties will discuss the type of post(s) which would be preferred by the individual and any specific area(s) which are considered unsuitable, together with the reasons for this. The employee has an equal responsibility to play a proactive role in the search for redeployment.
- 8.4. Reasonable paid time off work to look for an alternative position should be given where a member of staff is due to be made redundant. Support and assistance will also be offered to the member of staff, such as assistance in completing an application form and interview skills.
- 8.5. If a reasonable alternative role is highlighted at an alternative Bracknell forest school or within the council, the employee should apply for the post, making it clear that they are in a redeployment situation and highlighting their suitability for the role and outlining how they meet the essential criteria for the post as outlined in the person specification.
- 8.6. They should inform the School HR Adviser that the application has been submitted, who will then be responsible for ensuring that the recruiting manager at the relevant school is made aware of the application.
- 8.7. If the individual demonstrates on their application they meet the essential requirements of the person specification, the manager should offer the individual an interview to investigate their suitability for the post. The headteacher/manager must consider the suitability of the individual and make an appropriate selection decision.
- 8.8. If there are some essential areas of the person specification that the applicant could meet with reasonable training within a 4-week trial period, then this should be facilitated during the trial period. If the training needs in relation to the essential criteria are significant (e.g. formal degree or qualifications) then this may be considered unreasonable and therefore the applicant would not be invited for an interview for the post in question.
- 8.9. If the recruiting manager decides the redeployee is not successful, they should provide reasons for this decision. This information will be held to inform any potential appeal by the employee.
- 8.10. Where a suitable alternative post is identified then the employee will be redeployed into that post and will no longer be eligible for redundancy should the position be rejected.

9. Appeals

- 9.1. Following consultation, employees will be offered the right of appeal against:
 - Being identified as at risk of redundancy

- Slotted into a suitable alternative post,
- The outcome of the selection process or
- To challenge that the selection criteria has been incorrectly applied or unfair.

9.2. Appeals in the first instance should be sent in writing to the clerk to the governors within seven calendar days of receipt of the at risk letter or confirmation of appointment to a new post. The employee can be accompanied at the appeal hearing by work colleague or Union representative.

9.3. The appeal panel will consist of a governing body appeal panel.

10. Trial Periods

10.1. There may be a mutually agreed 4-week trial period offered for redeployment identified within the notice period. During the trial period, regular discussions will be held between the employee and manager to monitor progress in the post, if at any point it is deemed that the post is unsuitable then the trial period can be terminated early.

10.2. In line with good practice and ACAS guidelines the trial period may be extended by mutual agreement to facilitate reasonable training as identified in the matching interview or to allow reasonable additional time to meet the acceptable performance standards for the post. A trial period will not usually be extended beyond 8 weeks, although this is possible in certain circumstances.

10.3. At the end of the trial period, a meeting will be held between the Headteacher/ line manager and the employee to consider whether the trial period has been successful

10.4. If the trial period was successful, the employee will be confirmed in post.

10.5. If the trial period has not been successful and has resulted in the extension of the redundancy date, then the employee will be made redundant in line with the end date of the unsuccessful trial period. Thorough recording of the reasons the period has been deemed unsuccessful should be made available for any future appeals or challenges.

10.6. It will be the responsibility of both parties to actively seek reasonable alternative roles for redeployment for the duration of their contractual notice, or until the effective date of redundancy, beyond which if no suitable or agreed alternative has been identified it will be necessary for the redundancy to take effect with the relevant redundancy payment being made on the pay date proceeding their last day of employment.

11. Salary Protection

Support Staff

Salary protection will apply for 18 months where an employee has been offered and accepted an agreed alternative post up to two grades lower within consultation or as redeployment post consultation whilst on a notice of redundancy.

The difference between the contractual pay in the old post and in the new post will be paid as a salary protection payment, paid monthly. As the salary for the new post rises (e.g. by annual pay awards) the protection payment will be adjusted accordingly to ensure that the total amount of pay is maintained, but not increased. The amount will be pro rata for part time posts. This continues for a period of 18 months or until the salary for the new post matches or exceeds that of the old post, at which point the protection payments cease; or until the individual leaves the authority or voluntarily takes on another post at a higher salary. Should salary not exceed or match the protected salary at the end of the 18 month protection period, the salary protection payment will cease and pay reduce to the level of the new role. Where the individual is being redeployed into a post with a maximum salary lower than their current salary, it is expected that they will be appointed at the maximum point of the grade (this applicable only in redundancy redeployment situations).

If a member of staff is redeployed to a lower paid job this can affect their pension at the end of the protection period. This will be verbally explained to the employee at the outset of the redeployment and confirmed in writing.

Teaching staff

Teaching staff who are redeployed into a lower paid post because of the implementation of this procedure will receive salary protection in accordance with the Teachers Pay and Conditions document.

The school will be responsible for the payment of salary protection payments.

12. Staff Support

- 12.1. Support can be provided to staff during the change process by their Manager, Trade Unions, or the Council's employee assistance provider. Further details are available from the school.