



NOTTINGHAMSHIRE
POLICE
PROUD TO SERVE



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Statement of legislative compliance

This document has been drafted to comply with the general and specific duties in the Equality Act 2010; Data Protection Act; GDPR 2018 Freedom of Information Act; European Convention of Human Rights; Employment Act 2002; Employment Relations Act 1999, and other legislation relevant to policing.

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AIMS AND OBJECTIVES OF THE POLICY

Nottinghamshire Police recognises that in order to deliver its Policing Plan/Strategic Priorities, efficiently and cost effectively within the budget restrictions imposed by the economic environment, it must continuously review and if necessary, change working practices.

Whilst it is the Force's intention to provide a stable work environment and reasonable security of employment for its employees, it recognises and accepts that organisational change is implicit in the ongoing operation of the organisation. Situations will therefore occur when organisational change is required, either in the form of a slight change to working arrangements or a more fundamental re-structuring within the organisation. Change is inevitable and there can be no guarantee that this will not result in changed staffing requirements.

In this context, the effective delivery and management of organisational change is vital to the organisation's success and continued ability to offer a quality service to the Community it serves whilst maintaining financial sustainability.

It is the aim of Nottinghamshire Police that it manages such change in a responsible, fair and open manner, taking into account the future needs of the organisation and the potential impact for affected individual/s.

POLICY STATEMENT

The objective basis of any restructuring plan will be to maintain and develop an appropriate skills base in order to meet the organisation's current and future needs and provide an efficient, economic and effective service and supporting Nottinghamshire Police to be an employer of choice.

This policy should be read in conjunction with PD 587 Management of Change Procedure.

1.0 Scope

This policy relates to the impact of organisational change on all Police Staff employed by Nottinghamshire Police, including:

- Substantive post holders and those:
 - on Fixed Term Contracts
 - on secondment outside of the Force
 - away from the organisation, for example, on long term sickness absence, maternity leave, career break

The policy does not apply to:

- People seconded into the Force who are employed by another organisation
- Volunteers
- Agency staff

This policy also does not apply to police staff in situations where:

- The case relates to discipline, grievance, capability or medical grounds, for which separate corporate procedures apply
- Decisions are taken to outsource services Transfer of Undertaking (TUPE) Regulations apply

The recognised trade unions, GMB and Unison, have been consulted about the content of this document.

1.1 Key principles

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- there is a clear procedure which enables a fair, equitable, sensitive, consistent and transparent process to be adopted for implementing organizational change to meet business and operational needs of the Force
- a framework is provided to support managers in undertaking organisational change
- the process enables the Force to seek to retain experienced and skilled employees and to maintain a sustainable staff profile based on the Force's business, efficiency and financial plans
- engagement with Unions and employees will take place at the earliest opportunity with any feedback received taken fully into consideration
- there is full and open and transparent communication throughout the period of change, and that appropriate support is given to affected staff

- individuals have a right to representation at any stage of the formal change management process
- whilst the Force is not in a position to guarantee that change will not result in loss of jobs, it will consider any reasonable measures which could avoid, reduce or mitigate the adverse effects of change
- the Force will assist the employee in seeking opportunities for alternative employment using the processes described in the procedure
- every effort will be made to minimize disruption to normal service delivery
- the Force will comply with all legal requirements
- that any process or decision making is wholly objective, ensuring that any actions taken do not breach equality legislation

The co-operation of, and consultation with, GMB, Unison and staff is essential in ensuring that affected staff are treated in a fair, transparent and consistent manner.

Subject to any legal or contractual obligations, the provisions within this policy are at the discretion of Nottinghamshire Police. The procedure may need to be adapted (where exceptional circumstances demand it) and it has no contractual effect. However, the Force will comply with all relevant legislation and consultation will take place on any changes as part of maintaining a positive employee relations climate. In this respect, the procedure will be amended from time to time to reflect legislative and / or best practice changes.

This policy should be read in conjunction with the Management of Change Procedure.

1.2 Data Protection

- Documents relating to affected employees will be treated confidentially and in accordance with the Data Protection Act.
- Individuals may make a subject access request for data about themselves.

1.3 Assessments

- Selection processes for competitive slotting-in/matching will be consulted on with GMB and Unison.
- All other selection for alternative employment opportunities will be completed in line with the existing Force Recruitment and Selection Policy and Procedure.

1.4 Equality of opportunity

- Staff with disabilities must be treated in accordance with the Equality Act 2010 which places a duty on the employer to make reasonable adjustments and all necessary consultation and consideration of adjustments must take place.
- In the redeployment process the right people with the right skills will be appointed, subject to the relevant criteria as described in PD587 Management of Change (Police Staff) Procedure, after which any requests for flexible working will be considered against PS 149 Flexible Working Policy.
- There will be certain groups who, if 'at risk', will have a higher level of priority over other candidates ('at risk' or otherwise) in their search for alternative employment.

1.5 Monitoring

- A 'post' implementation review will be undertaken following the completion of each change project.
- The project lead and People Services Business Partner are responsible for identifying any learning and feeding this back into the process.

2.0 Contractual Entitlements

'At risk' Register

Employees on 'at risk' register for a minimum of 3 months with contractual notice being served at the appropriate time.

Protection of Salary

There is no legal entitlement to salary protection and the primary aim is to achieve redeployment.

Where an individual's role ceases to exist, but they are 'matched' or 'slotted' into a significantly similar, but one grade lower role in a new structure, then pay protection will apply for a period of 12 months. Protection will only apply to basic pay. Pay protection will **not** apply to any other allowance such as shift work, overtime, market related premium or on-call allowance

Individuals will **not** continue to receive salary increments during this 12-month period. They will continue to receive pay awards during this period. At the end of this period, they will be paid at the top of the new (lower) salary scale. Basic salary during this period will be protected to ensure it does not fall below the top of the lower graded post. Protection will cease if the individual voluntarily moves to another post within this time period.

Excess Travel costs

The payment of excess travel costs will only be considered where a case for change requires a location move but will not result in redundancy. Where excess travel costs are agreed they will be payable for either:

- a period of 6 months, or
- a lump sum payment equivalent to 3 months (repayment conditions apply if the employee leaves).

Payments

Employees who are made redundant (voluntarily or compulsorily) and who qualify under the statutory redundancy provisions are entitled to receive a redundancy payment in accordance with the statutory formula, which is based on age and length of service (up to a maximum of 20 years) and weekly pay.

The statutory cap on a week's pay will not be applied – the employees' actual weekly pay will be used in the calculation.

In addition to the redundancy payment, employees made redundant who are in the Local Government Pension Scheme (LGPS) and aged 55 or over, and with 2 years vesting period, will receive immediate payment of their pension benefits.

RELATED DOCUMENTS AND APPENDICES

PD587	Management of Change (Police Staff) Procedure
PG043	Management of Change (Police Staff) Managers Guide
PS173	Police Staff Recruitment & Selection Policy
PD381	Police Staff Recruitment & Selection Procedure

ADMINISTRATION

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2.0	Review of Policy
3.0	Revision of the protection of salary entitlement
3.1	Revision and update