Policy:

HR 044 Organisational Change

Executive Director lead	Director of Human Resources
Policy Owner	Deputy Director of Human Resources
Policy Author (s)	HR Business Partner and Staff Side representatives

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Summary of policy
This policy sets out the Trust Policy on the management of organisational change affecting staff. The changes made to this version of the policy are summarised in the amendment log.

Target audience	All staff and their representatives

Keywords	HR, Change, Restructure, Redundancy, Restructure, Redesign, Redeployment

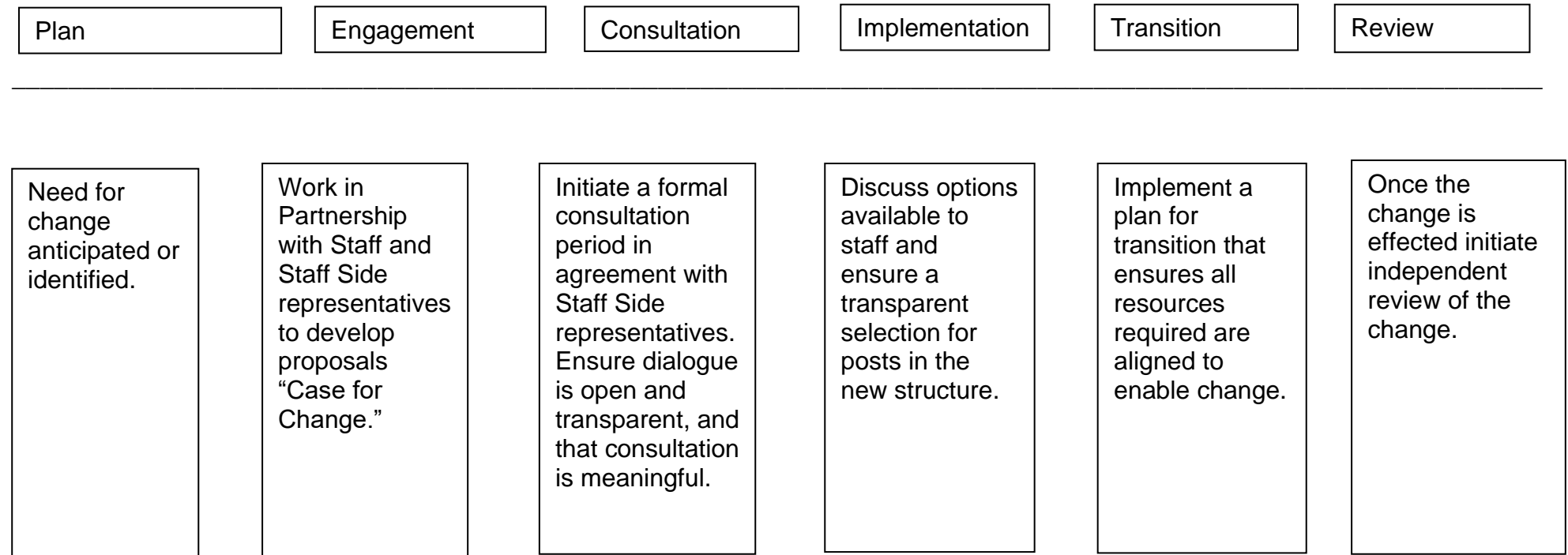| **Storage** |
|---|
| This is Version 4 and is stored and available through the SHSC Intranet/Internet. Version 3.1 was provided to EDG for approval and their comments incorporated into Version 3.1. This version supersedes the previous Version 3.1, issued February 2020. Any copies of the previous policy held separately should be destroyed and replaced with this version. |

Contents

Version Control and Amendment Log

Version No.	Type of Change	Date	Description of change(s)
1.0	New draft policy created		~
2.0	Review	September 2010	This version was reviewed and updated in order to amend some errors in its contents and ensure that the Restrictive Practice Intervention Group (Chair) was satisfied with the content.
2.1	Review	October 2018	Minor review to update legislative changes and transfer to revised Policy Template
3.0	Review / consultation / ratification / issue	2018 to September 2019	This version was reviewed and updated following a series of events to engage with staff and review change, including an external review of the CMHT organisational change process that took place in 2017. External review undertaken by Dean Royles, completed December 2019. This Policy has been produced in partnership with Staff Side representatives. Changes include – - The introduction to the requirement of A Case for Change, which specifically assesses the impact on staff; - The introduction of a sign-off process to include Staff Side representatives which will involve discussion at SHSCSHSC's Joint Consultative Forum (JCF) for large scale change; - Removal of the 90 day consultation period and replaced with an agreement at the outset of consultation; - Detailed commitments to meaningful consultation; - The introduction of requirements around transition through change; - The introduction of the requirement to review change.

| 3.1 | EDG comments | Jan 20 | Review of redundancy paragraph(s). Amendment of external review to independent review |
| 4 | Additional guidance | Jan 22 | Insertion of section 7.3 regarding Engagement and subsequent numbering amendment. 'The Trust' change to SHSC. |

Flowchart

Plan	Engagement	Consultation	Implementation	Transition	Review

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Need for change anticipated or identified.	Work in Partnership with Staff and Staff Side representatives to develop proposals "Case for Change."	Initiate a formal consultation period in agreement with Staff Side representatives. Ensure dialogue is open and transparent, and that consultation is meaningful.	Discuss options available to staff and ensure a transparent selection for posts in the new structure.	Implement a plan for transition that ensures all resources required are aligned to enable change.	Once the change is effected initiate independent review of the change.

1. Introduction

Sheffield Health and Social Care Trust regards its employees as its most valuable asset and aims to provide a stable work environment and security of employment for staff.

This policy is developed in recognition that organisational change can be essential to maintaining high quality services. However, if the process is not handled appropriately uncertainty created by organisational change can also damage morale and motivation amongst staff with negative consequences of service standards.

Therefore, this policy aims to ensure that organisational change is conducted through fair and consistent procedures that put communication with staff, listening to staff concerns and addressing staff concerns through consultation with trade unions representatives at the heart of the policy.

This policy will be underpinned by a commitment to transparency, information sharing and partnership working

The Policy shall reflect any changes or updates to legislation as they occur.

2. Scope

This policy applies to all Trust employees.

Employees of other organisations who carry out work within SHSC may also be affected by organisational change, which takes place at SHSC. In this event consultation arrangements shall be made with the employer of the staff affected by the change, with regard to their organisation's own policies for change management.

Agency staff and others who work in SHSC, but are not employees (e.g. volunteers) are outside the scope of this policy. However, such individuals and groups shall be kept informed of change proposals, as appropriate.

3. Purpose

This policy sets out the following principles by which SHSC commits to achieving change.

- Managers and employees will be involved in, contribute to and be kept informed at all stages of change

- Open and honest communication will take place throughout change from the planning, consultation, implementation, transition and evaluation of organisational change

- SHSC will work in partnership with employees and Staff Side at all stages of change

- A Case for Change with appropriately scoped impact assessments (Including an Equality Impact Assessment) and appropriate governance sign off will support all change.

- Those affected by change will receive practical and wellbeing support

- Consultation will be Meaningful and relevant

- Implementation will be transparent and fair

- Transition will be recognised as a critical phase of change

- Each Change will be concluded with a review and learning from change will be embedded into the change governance process. In the case of large scale change this review will be independent of the operational area.

- Change plans will take steps to mitigate against the risk of redundancy wherever possible

4.   **Definitions**

Organisational change, for the purposes of this policy, is defined as any revision to the way in which a service is provided, which has significant implications for staff.

Some examples are:

- Relocation of service/s
- Changes in operating hours
- Merging services
- Closure of service or unit
- Provision of new service/s
- Expansion of existing service/s
- Restructuring / Reconfiguration / redesign
- Changes to skill and grade mix
- Transfer of services in or out of the organisation (e.g. TUPE/ outsourcing)

This list is not exhaustive.

Consultation: Consultation is the process by which information, perspectives and ideas are shared in order to inform decisions about changes to service delivery. Consultation must be meaningful and views submitted during consultation need to be considered and responded to within the consultation period.

In this policy consultation refers to consultation with employees and their representatives, regarding proposed changes to services.

Lead manager: means the manager who has overall responsibility for managing the change. This will usually be a Senior Manager. The lead manager may require a project group, or project manager to assist them.

Representation: Employees may be accompanied at individual meetings within the scope of this policy, by either a staff side representative or a work colleague from within SHSC.

Directly affected employees: means employees whose roles will be impacted on by the proposed change. This includes employees who are on secondment from their substantive role, or otherwise temporarily placed away from it, where their substantive role is directly affected.

Affected area: means work area which will be impacted on by the organisational change. How the affected area is defined will depend on the nature and scope of the change. E.g. team function, ward, and site. The affected area will be defined in the Case for Change.

At risk: means when it is expected that an employee's role may change significantly or cease as a result of organisational change.

Displaced: means when an employee's current role has ceased, or changed significantly due to organisational change.

Ring fence: defines employee's eligibility in the recruitment process. A 'ring fence' is specifically applied to an affected area where posts are at risk. This guarantees that employees whose roles are 'at risk' have the first opportunity to apply to vacant roles on a preferential basis, before any other applicants are considered. Where posts at different pay bands in the affected area are at risk, ring-fences shall be placed around each pay band. This means that in the first instance, only employees currently working at that band (or displaced from a higher band) and who satisfy the minimum selection criteria, shall be eligible to apply for vacancies within the affected area.

Pool: means the group of directly affected employees who are allocated within a 'ring fence'.

Receiving manager: means the manager of any identified, suitable vacancy.   A 'receiving' manager would form part of the recruitment panel at a guaranteed interview.

'Slotting in': is a selection process used during organisational change.

Limited competition: is a selection process used during organisational change.

Options meeting: Is a meeting that takes place with the employee (supported if they wish) and their line manager at which a form is completed outlining the skills/abilities of the employee, areas of job interest, etc.

Guaranteed interview: a selection interview for a vacant post. An individual must meet the essential job criteria to be offered a guaranteed interview.

Matching process: a meeting or series of meetings held when options meetings for all directly affected staff have been completed. Chaired by the lead manager or their representative and attended by Human Resources. Staff side representatives should be kept informed of the process and outcomes of matching.

Substantive post holder: means either;
1) an employee who is the permanent post holder, or
2) an employee who, for the purposes of the formal consultation, may have the same rights as a permanent post holder. E.g. some temporary or fixed-term contracts, depending on the circumstances. Advice from Human Resources must be sought.

TUPE - Transfer of Undertaking (Protection of Employment) Regulations 2006 as amended by the collective redundancies and Transfer of Undertakings (Protection of employment) (Amendment) regulations 2014. Legal framework to be used when employees transfer from one to another (non NHS) employer.

N.B. transfers between NHS providers are covered by the Cabinet Office Statement of Practice: Staff Transfers in the Public Sector: January 2000 (revised November 2007). This provides a similar framework to TUPE.

5.   Detail of the policy

The broad overview of this policy is a principles document that sets out SHSC commitment to meaningful consultation in partnership with staff and trade unions. The Policy is underpinned by a framework of guidance, toolkit and support for managers and individuals experiencing change.

6.   Duties

The Board of Directors is accountable for:
- Commitment through the endorsement of this policy
- Identification and allocation of any resources required by the policy

The Chief Executive is accountable for:
- Ensuring the proper allocation of the policy through management arrangements.

Lead managers are responsible for:
- Ensuring the development of a clear and complete case for change.
- Ensuring that appropriate governance approval is given before embarking on organisational change (see scope and governance).
- Maintaining overall responsibility for conducting organisational change, within the framework of this policy and other related Trust policies
- Working in partnership during organisational change and ensuring that effective and timely communication with staff side representatives is maintained.
- Clearly setting out the matters to be consulted upon, during the formal consultation period.
- Organising and conducting the formal consultation period, with support from Human Resources.
- Avoiding redundancy wherever possible.

Managers at all levels are responsible for:

- Managing their teams within the framework of this policy, and other related Trust policies, during organisational change.
- Contribute effectively to project groups and the consultation process at the request of lead or project managers.
- Conduct individual meetings as required with Trust employees, within the framework of this policy, when requested to do to by lead/project managers.
- Provide an appropriate management response to staff queries, needs and concerns during change. 'Signpost' individuals to further support services where required (e.g. Workplace Wellbeing)
- Take advice from Human Resources as appropriate.

Human Resources shall:

- Review and update this policy, as needed in conjunction with the recognised trade unions.
- Take part in the organisational change process, as outlined in this policy.
- Advise managers on workforce planning issues to support service restructure / redesign.
- Advise lead managers and managers (including project managers) about the
- consultation/change process within the scope of this policy, related Trust policies
- and current legislation.
- Work in Partnership with staff side during organisational change.
- Ensure that the policy is adhered to.

ALL INVOLVED IN CHANGE WILL CONSITENTLY AND CLEARLY COMMUNICATE ROLES AND RESPONSIBILITIES WITHIN EACH CHANGE PROJECT.

7.   Principles

7.1 Scope and Governance

The table in fig 1 sets out the Approval and Governance required where Change is identified as being beyond 'normal management processes'.

Change is part of the operational norm and as such there will be cases where managers shall discuss the proposed change with those affected, in order to give information and seek their views, make decisions and implement the change without a formal consultation period. This shall only apply where all parties agree to the change and in practical terms is usually only possible with a small working group, where the impact of the change is not substantial.

For example: A small team agree amongst themselves, with their manager, that one of them will begin work half an hour earlier, on a rota basis, each Wednesday morning, in order to provide extended office cover on the busiest day of the week.

In such situations it is still expected that managers will thoroughly discuss the proposed change. If deeper or more complex issues emerge during this process, or if posts become at risk managers may seek advice from Human Resources. It may become appropriate to begin a formal consultation process.

Fig 1.

Type of change	Scale / Parameters	Approval / Governance
Service Closure	Decision taken to close a service.	Operational Governance Group for Directorate JCF Board /EDG for decision EIA completed Case for Change completed
Service transfer (TUPE)/ outsourcing	Decision taken to cease delivery of a service or contract lost	Operational Governance Group for Directorate JCF EDG for decision EIA completed Case for change completed
Reconfiguration (including mergers)	Change affecting a number of services impacting on the wider system	Operational Governance Group for Directorate JCF EDG for decision EIA completed Case for Change completed
Redesign	Change affecting a service or team, usually to improve working practices / efficiency	Operational Governance Group for Directorate JCF EIA completed Case for Change completed
Location move	Moving location only no impact on organisational structure and responsibilities	Operational Governance Group for Directorate JCF for information EIA completed Case for Change completed

7.2 Planning for Change

A Case for Change should be developed at the outset of any proposed organisational change. This is an essential step that will form the basis for engagement and then consultation with staff, and provide data with which to measure the impact of the change on staff

A case for change should consider the Working together for our service users, Respect and kindness, Everyone counts, Commitment to quality and Improving lives and how these values will be upheld at all stages of organisational change.

There are a range of tools available to support good change management. In particular strong change practice comes from adopting the tools and techniques of the NHS Change Model and with it the data that can be gathered.

https://www.england.nhs.uk/publication/the-change-model-guide/

The areas and topics listed below are not definitive the suggested areas to cover should support the development of a compelling case for change and will provide a reference point and resource of accurate for decision making and action planning throughout the change.

Development of the case for change will be undertaken in discussion with staff affected, this is the engagement phase. Before embarking on any engagement regarding change the manager leading the change should be able to explain to staff the reasons a change is needed.

The outline of the case for change is provided in the supporting Change Toolkit, but should include as a minimum.

- An analysis of the current situation
- The rationale for change
- Outline the organisational benefits
- The Options that have been considered
- Resource implications
- Impact on staff (including the Equality Impact Assessment)
- Timescales
- An overall view of the impact of the change.
- How it is proposed that change will be achieved

7.3 Engagement

As outlined in the Planning for Change stage, engagement involves discussions with affected staff about proposed organisational change with a view to building and finalising a comprehensive Case for Change. The manager responsible for the change initiative will lead engagement activity. Engagement must be informal and must not enter formal consultation (described below in section 7.4).

The engagement stage of organisational change happens early in the process. A manager is likely at this stage able to describe broadly what change is wanted and why. Engaging with affected teams and people is a significant part in the journey; discussing what the change may mean for individuals, teams, and services and what may be different day to day once the proposed change takes effect is important.

It is essential therefore that the manager is fully prepared for any engagement activity; and be in a position where they can clearly articulate outlined reasons for proposed change. From the outset of any discussion/engagement activity there must be a clear purpose, rationale, and future initial view communicated where people can understand how to build from this. The reason that engagement is to enable meaningful discussion where all elements of the Case for Change are considered such as ideas about the proposal, risks, considerations, team needs, how change meets the strategic aims of our organisation and how change impacts our 'green plan'.

Engagement, in the same way as all organisational change, should have a timeline mapped into the change plan. Once informal engagement activity has taken place where a final proposal is then agreed and communicated, consultation can begin.

7.4 Consultation

7.4.1 Meaningful consultation

Following initial planning, the development of a case for change and any associated engagement formal consultation with employees and their representatives will commence. Formal consultation shall take place where there is a reasonable expectation of change being implemented in the foreseeable future, and shall occur long enough in advance to enable meaningful consultation to take place.

Consultation is a process of jointly examining and discussing issues of mutual concern and interest, meaningful consultation goes beyond communication and whilst the final decisions must lay with management the consultation process will actively seek to try and reach agreement. Consultation must be:

- *At the earliest opportunity*
- *Provide all the information*
- *Inclusive*
- *Be in good faith and with a view to reaching agreement*

The formal consultation process shall meet legal minimum timescales where there is a potential for employees to be at risk.

The duration of the consultation period shall be discussed and agreed with Staff Side representatives and agreed before the consultation commences however this may be extended if required.

Implementation will not take place until consultation has ended.

The aim of consultation is to:

- Formally explain why an organisational change is needed.
- Explain what the proposed change is to affected employees.
- Provide opportunity for directly affected employees, and their representatives, to ask questions, make suggestions and consider alternatives regarding the change
- Make employees aware of the relevant policies and procedures which will be used during the change process.
- Seek a suitable agreement for the management of the change including the processes within such as defining the pool, agreeing the ringfence and selection criteria..
- Mitigate the impact of the change including redundancy should this be a possible outcome.

7.4.2 Partnership working during consultation

Working in partnership with our employees and staff side representative is vital to the successful management of change. Staff side will be kept informed and consulted with throughout the change process.

The following information will be provided to Staff Side **Chair** at the earliest opportunity, when it becomes known that change is reasonably likely to occur and before commencing consultation directly with employees:

- What the proposal for change is

- The reasons for the proposals
- The numbers and descriptions of employees affected by the change
- The expected effect of the change on employees
- The proposed selection methods (if appropriate)
- The proposed consultation plan/timescale for implementation
- Equality Impact Assessment

The Equality impact assessment will assess the impact of any proposal on groups that display the protected characteristics as defined by the Equality Act 2010 with a view to amending the proposal if the assessment reveals discriminatory impact and improving the proposal to promote Equality.

It is expected that there will be a continuing dialogue with staff side throughout the consultation period and where alternatives are presented from employees or staff side a management response will provided before the end of the consultation period.

7.4.3 Communicating with staff

The formal consultation period shall commence on a specified date, and all affected employees shall be notified of this by an individual communication, which will.

- Outline of the proposed changes and why they are needed.
- Start date, intended duration and content of the formal consultation period.
- Notification that relevant Staff Side representatives have been informed.
- Notification that employees may invite a Staff Side representative or work colleague
- from SHSC to individual meetings.
- 'Consultation pack' of documentation e.g. copy of the consultation plan, proposed new structure charts, proposed new job outlines or draft job descriptions and other information as appropriate. (note final job descriptions will be confirmed before implementation begins, this includes any Agenda for Change evaluation required)
- Selection processes/criteria proposed, where appropriate.
- Referral to relevant policies.
- Projected implementation date for the change.

7.4.4 Staff absent from work

All staff affected by change will be consulted with regardless of whether they are at work or not. Managers will ensure that any employee not at work immediately prior to /during the consultation period is, as far as reasonably practical, involved in the consultation process to the same extent as those employees physically present. (for example staff on secondment, maternity leave, annual leave, career break, sickness absence, or active service in the armed forces.
The legal rights of staff who are absent will be observed during the consultation process.

7.4.5 Consultation plan

The consultation plan should include:

- an outline, as appropriate, of the aims of the formal consultation
- dates and constitution of group meetings
- key milestones in the change process (e.g. the date when further information may be

known)

- communication with indirectly affected individuals or groups e.g. teams which interact with the affected areas.
- communication with the employing organisations and the Staff Side representatives of individuals working into SHSC but employed by another employer e.g. Sheffield City Council employees.

<u>7.4.6 Process for formal consultation</u>

The formal consultation period shall typically comprise a mixture of group and individual consultation meetings. The schedule of these meetings will be set out in the consultation plan and should ensure that all directly affected employees are involved.

Group Consultation meetings
Each directly affected individual shall be afforded the opportunity to attend at least 1 group meeting. This will be an opportunity to explain the case for change and to receive feedback and challenge on the proposals.
As the consultation process moves on, group meetings are a way of updating employees on the progress of the change process, discussing any issues, and continuing to involve employees in the planning and implementation of the change. The meetings also provide further opportunity for employees to raise queries.

Individual consultation meeting
At least one individual, face to face consultation meeting shall be conducted with each directly affected employees, during the formal consultation period. The aim of individual consultation meeting is to provide opportunity for directly affected employees to discuss how the proposed changes affect them, and to raise any queries that relate to their individual situation.
Employees may be accompanied at individual meetings by a Staff Side representative or work colleague from SHSC. A Human Resources representative may also attend the meeting.

Where redundancies are anticipated procedures outlined in the Redundancy Policy shall be followed.

Responding to feedback

All feedback and questions should be responded to in a timely way and a response to feedback should be shared as part of the consultation process.

Feedback will cover a response to any alternative proposals, any changes made to the proposal or a rationale for rejecting alternatives.

7.5   Implementation

The implementation of change shall commence once the consultation period is concluded and should be proportionate to the scope and scale of change and will be dependent on the impact the proposed changes have on staff. Each implementation process will be confirmed

as part of the consultation and in conjunction with staff side, when it is known the impact of the changes on staffing.

Options Meetings timeslots should be agreed with a right to representation with a trade union representative or work colleague

The implementation process will take into account:

- Reducing the risk of redundancy, for example
  - by utilising vacancies across SHSC as they arise
  - restricting recruitment in areas with potential for risk
  - restricting bank and agency usage
  - giving 'at risk' staff priority of consideration from the point it is known there is not a suitable post available.
  - Using temporary and fixed term contracts to safeguard permanent staff members
- The GAP between the old and new organisational structures, including whether there are new jobs
- The ringfence and the pool of affected staff

Any new jobs or changes to job descriptions should be assessed/graded by the job evaluation scheme before commencing implementation.

Allocating posts within a new structure:
Once consultation is concluded, either at the end of the agreed period of consultation or earlier if agreed with staff side all affected staff will have an 'options' meeting.

An Options meeting is held to ensure that individuals know and understand the options available to them and the processes involved to confirm appointments into a new structure.

A template form for individuals to complete is available in the Change Toolkit for Managers This should be provided in plenty of time for employees to seek advice as required before the Options meeting.

The information from the options form will be considered by a panel, including the Manager leading the change and HR. The purpose of the panel is to determine the way in which employees are allocated or appointed to suitable alternative posts, or to recruitment pools, using the procedures outlined below.

In the first instance, substantive post holders who are at risk of being displaced from their post, due to organisational change, will be expected to consider any suitable alternative role (or roles) in the new structure, at their current band. ('Suitable alternative employment' shall be defined by the criteria in appendix X.) Where a suitable alternative post in the new structure, at the current band is available, the processes of 'slotting in' followed by 'limited competition' shall apply, as outlined below.

Slotting in
'Slotting in' shall apply where the substantive duties of the directly affected employee are wholly or mainly the same in the new structure as they were in the old, and where no other

staff in the same role are displaced. 'Slotting in' shall not apply to 'acting up' arrangements or secondments.

The following criteria should be met before 'slotting in' employees to posts:
☐ 50% or more of the old/existing role is reflected in the new role and,
☐ the post holder is the only suitable candidate (within the 'ring fence') for the post, and
☐ is a substantive post holder (see Definitions), and
☐ the job remains at the same pay band, and
☐ the employee has the minimum qualifications and experience required for the new post.

Where the above criteria exist, individuals will be automatically slotted into roles within the new structure, without detriment to their terms and conditions and shall not be required to be interviewed for the post.

Where slotting in is applied, the employee shall be notified of this in writing and this shall be regarded as an offer of suitable alternative employment.

And therefore the right the a trial period or other protection arrangements will apply.
Limited competition:

Limited competition shall apply where there is:

- more than one eligible employee potentially suitable for the post within the 'ring-fenced' area, and/or
- the post is new in content and/or carries substantially increased or changed responsibility
- Competition for posts shall apply in the first instance to employees who are directly affected by the change, and
- are within the 'ring fenced' area, and
- who have the same band as the new role
- satisfy the minimum selection criteria

Limited competition shall normally begin with the highest pay band first, then cascade down. Limited competition may also include employees who have not been appointed at a higher pay band within the same ringfence
Where an individual is appointed to a lower band in the new structure (than their band in the old structure) they shall be subject to payment protection, as outlined in the 'Protection of Pay and Conditions of Service Policy'.
Exceptionally, a drop of 2 bands may be considered if there are no posts in the band immediately below, within the new structure. However, this shall only be at the agreement of the individual, staff side and management. (note if a grade drop of 2 pay bands is exceptionally agreed the individual will remain on redeployment at their substantive pay band whilst receiving pay protection.)
Where limited competition applies, employees who have expressed a preference for a role will have a guaranteed interview, and will be notified of this along with details of the selection process, in writing. Lead managers shall ensure that employees have a reasonable period of time to prepare for any agreed selection process.
Where an individual is successful within 'limited competition', the employee shall be notified of this in writing and this shall be regarded as an offer of suitable alternative employment

Allocation to a suitable alternative role outside the ringfence:

There may be situations where employees have not identified a suitable post within the ringfence or the revised structure does not have any / enough new posts available for employees who have been displaced from their substantive role, (e.g. service closure).
In such circumstances where posts within a new structure are not available to an employee, the lead manager shall next seek to identify posts across SHSC which may provide suitable alternative employment.
Potential roles to be allocated to at risk/displaced employees may include temporary, fixed term or secondment roles, where permanent vacancies are not available in line with the Redeployment Policy
Where potential vacancies are identified these will be managed and priority given via the redeployment process.
Where a separate organisational change is occurring in the same timeframe, this may result, in the pool of limited competition being extended to include other affected employees displaced by organisational change. The extent of a ringfence will be agreed with staff side and notified to JCF as part of the oversight of change management.

Guaranteed interview:
Where employees qualify for 'limited competition' for posts, they will be entitled to a guaranteed interview for the specified posts. I.e. recruiting managers will
interview all candidates in the pool and will not conduct any short-listing prior to interview.

Other Options:
Where all the processes outlined have been exhausted, or are not appropriate in the circumstances, the Lead Manager must consider any other available options, including redundancy.

Volunteering for redeployment.
Where there are more people than posts volunteers may be sought for redeployment. Where an individual volunteers and it is agreed that this will reduce the number of "at risk" employees all pay protection and redeployment entitlements will be preserved. In addition volunteers will be offered posts in line with the redeployment policy and guidance around suitable alternative employment.

Trial Period:
Where an offer of suitable alternative employment has been accepted, the employee is entitled to a trial period of a minimum of 4 weeks.
Trial periods, along with the specific objectives of the trial, should always be agreed in writing, specifying the employee's terms and conditions and the date on which the trial begins and ends.
The Receiving Manager must ensure that there is ongoing supervision and support for the employee
during the trial period and the employee's progress must be continuously assessed against a pre-set training plan, job description and/or objectives.
A thorough review of the success of the trial period must be undertaken, in consultation with the employee concerned and their representative, before the end of the trial period.
However, if during the trial period, it is clear that this post is not a suitable alternative, the trial period may be terminated early, (but not before the minimum period of 4 weeks has been completed).
Where the employee requires training for the new post, the trial period may be extended up to a total of twelve weeks, by agreement. Trial periods may also be extended; at management discretion to take account of factors such as pre arranged annual leave.
Managers may seek advice from Human Resources.

7.5 TUPE consultation:

During organisational change where TUPE or equivalent applies*, it is expected that some or all of the directly affected employees will transfer with the service, depending on if they are 'assigned' to such a service or not. Whether an employee actually transfers shall be determined by the legal provisions of TUPE or equivalent*.

In this situation, the specific timescales, arrangements for consultation and transfer of information required under TUPE or equivalent* shall supersede any practices used by SHSC during other types organisational change. Managers should seek Human Resources advice at the earliest opportunity where it is anticipated that TUPE or equivalent* shall apply.

* Cabinet Office Statement or Practice: Staff Transfers in the Public Sector: January 2000 (revised November 2007) re: transfers of employees between NHS organisations.

However, the principles of this policy shall apply to the manner of consultation expected i.e. communication with Staff Side representatives and employees.

Employees who are expected to transfer out of SHSC may make applications as internal candidates, for vacancies advertised by SHSC, (up until the date of transfer) but guaranteed interviews or the redeployment priority of consideration will not be applicable to outgoing employees.

7.6 Transition

The period following implementation can be upsetting and difficult both for staff who have successfully been allocated or appointed to a new post as well as those displaced by the process.

Once the implementation date is confirmed, that is that all staff are appointed to posts in a new structure or a new way of working has been confirmed there will be a date for implementation or 'go live to ensure a successful implementation of a change all processes will be required to plan for a transition period leading up to the 'go live' date

The management of the transition period must be set out in a plan for transition which will be in place in good time and takes account of:

- The management of staff displaced as a result of change
- The Development plan to support staff affected by the change (Skills need analysis and training needs)
- Vacancies and interim resourcing needs
- Alignment of other resources to the Change (for example buildings, infrastructure, communications to stakeholders and partners)
- An Equality Impact Assessment

7.7 Review

Once a change is implemented a date will be set for review. This will normally be between 6 and 12 months depending on the size and impact of the change.

Reviews will normally be undertaken or overseen by an independent manager from within SHSC, however there will be times when to ensure as greater degree of independence as possible an external reviewer will be engaged.

The criteria for review will be agreed at the end of the implementation phase and as part of transition planning with staff side.

In addition to the criteria for review managers will also agree the measures we will use to assess success. For example, Trust wide measures such as the LIA Pulse check or Staff Survey, and local measures such as feedback from staff and Staff side.

SHSC is committed to learning from change and commits to taking action on recommendations and feedback from each review.

8. Development, consultation and approval

This policy has been developed following a series of consultation, process and experiential review interventions led by the Deputy Chief Executive, Head of Clinical Operations, HR Business Partner and Staff side.

Staff and Managers across SHSC have been consulted through the Learning from change (May 2018) event, Microsystems process mapping (March 2019), an external review of the experience of change (December 2018), the policy has been co-produced with staff side

The Equality Impact Assessment will be undertaken and stored separately in conjunction with Corporate Governance and the Head of Equality and Inclusion.

As a result of consultation the policy has been amended as follows:

- To provide greater clarity on the expected stages of change and what is expected to happen at each stage
- An overall move from process to principles
- The introduction of the requirement for a case for change for every change, to reflect an assessment of the impact of change and would incorporate the equality impact assessment
- The separation of the Consultation and Implementation phases of change
- The introduction of the transition phase from old to new structures
- The introduction of a requirement to undertake an independent evaluation post change

Consultation has been overseen by the CMHT Change Review Steering Group and the Executive Directors' Group. Future oversight will be through the Joint Consultative Forum (JCF) – members are representatives from both Staff Side and Management Side.

9.   Audit, monitoring and review

Monitoring Compliance Template						
Minimum Requirement	Process for Monitoring	Responsible Individual/ group/committee	Frequency of Monitoring	Review of Results process (e.g. who does this?)	Responsible Individual/group/ committee for action plan development	Responsible Individual/group/ committee for action plan monitoring and implementation
Case for Change	Review	JCF	Monthly	HR Business Partner	HR Advisory services / TMG	JCF
Review of redeployment and Redundancy	Annual review	Finance / HR	Annual			

The policy review date is 31st October 2023.

10.   Implementation plan

Action / Task	Responsible Person	Deadline	Progress update
Upload new version to intranet and internet	Communications Team via Corporate Governance	End of February 2020	
Brief HR Advisory team	Author of policy		
Support programme in place for Managers leading change	HR	As required	
Brief Senior Operational Managers across SHSC	HR and Staff Side joint briefings	March 2020	Roll out of briefings to teams – HR, in partnership with Staff Side.

11.   Dissemination, storage and archiving (version control)

Version	Date on website (intranet and internet)	Date of entry in Connect (all staff communication)	Any other promotion/ dissemination (include dates)
1.0	~	~	~
2.0	September 2010	~	~
2.1	October 2018	~	~
3.0	October 2019	October 2019	Brief HR Advisory team Support programme in place for Managers leading change Brief Senior Operational Managers across SHSC
3.1	February 2020	February 2020	

This is Version 3.1 and is stored and available through the SHSC Intranet/Internet.
This version supersedes the previous Version 2.1, October 2018.

Any copies of the previous policy held separately should be destroyed and replaced with this version.

All versions of HR policies are stored on the HR Shared Drive by the policy author and the PA to the Director of Human Resources.

Word copies of final versions of policies can be obtained from Policy Governance via the PA to the Director of Human Resources.

12.   Training and other resource implications

All managers leading change will receive development to support the principles of this policy.

13.   Links to other policies, standards, references, legislation (associated documents) and national guidance

Redeployment Policy
Redundancy Policy
Protection of Pay and Conditions of Service
Location Flexibility allowance
Transfer of undertaking, protection of employment (2014)
Employment Rights Act (1996)

14.   Contact details

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