NHS
Cornwall and Isles of Scilly

Organisational and service change policy

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1. Introduction

This policy sets out the principles and procedure for managing organisational change within NHS Cornwall and Isles of Scilly Integrated Care Board (the ICB). It aims to ensure that change is handled in a way that is sensitive, consistent, fair and in line with statutory requirements and best practice. It seeks to balance the need for fairness and full involvement of the relevant workforce with the aim of ensuring that the organisation can be efficient and flexible in the way it responds to an ever-changing environment.

The organisational change process is dependent on the nature of the change but will be consistent with the principles set out in this policy and in line with the statutory requirements and NHS guidance and terms and conditions. People and organisational development (POD) can provide information for managers on how to approach organisational change with their teams, how to write the business case, the steps in the process and whether POD team involvement is required. It also provides information for colleagues on what to expect during a change process and how they can help and contribute to the process.

2. Purpose

The policy aims to provide a framework by which the ICB will implement organisational change. This includes pay protection.

It will also provide guidance on the steps to be taken during organisational change and ensure fairness and equity throughout the process. The policy aims to support the retention of the knowledge and expertise of the workforce as well as ensuring engagement in the change process.

It will ensure that employees affected by change are not discriminated against, either directly or indirectly on the grounds of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race including nationality and ethnic origin, religion or belief or no religion or belief, sex, or sexual orientation.

The policy applies to all employees of the ICB but excludes those engaged on contracts for service.

It deals with major organisational change which includes situations in which teams or services are restructured in such a way as to impact directly on the terms and conditions of employment, scope and/or nature of individual roles. Organisational change can include mergers, restructuring or introducing materially different working practices. For example, restructuring, relocation of offices, merger, expansion or closure or transfer of a service or a major change in working practice or changes affecting employees' contracts of employment.

A change which puts an employee at potential risk of redundancy must be dealt with under this policy.

Areas that are not covered by this policy

The formal procedures in this policy do not apply to minor changes in work practice such as variations to the working environment or line management structures where there is no change to contractual terms and conditions or where they are minimal and where a substantial part of the employee's experience at work is unchanged. In these cases, a fair and reasonable process must nevertheless be followed, and this should be carried out in a consultative manner. Employees are required to accept reasonable changes where appropriate following appropriate discussion.

Individual changes initiated by employees such as flexible working requests are covered by other policies.

The ending of an individual fixed term contract does not constitute organisational change and will be managed in line with the guidance on fixed term contracts.

3. Definitions

Colleagues at risk

This means employees whose posts may potentially be redundant as a result of organisational change if suitable alternative employment cannot be found.

Ring fencing

The process by which a post or posts in a new structure are made available only for an identified specific group of colleagues affected by change.

Slotting in

This is when colleagues at risk are appointed to a post within the new structure that is the same or broadly similar to their current substantive post.

TUPE

Transfer of Undertakings (Protection of Employment) Regulations aimed at protecting employees if the business in which they are employed changes hands.

Mark time

This means that the rate of earnings is preserved without the benefit of any subsequent increments or pay awards, on a mark time basis, until the new earnings reach the level of the previous earnings or until the protection ends whichever is the sooner.

Secondment

Temporary movement of an employee from their substantive role to another role within the ICB or to an external organisation.

4. Responsibilities

Remuneration Committee

Must approve:

- organisational change business cases that impact directors and very senior managers
- redundancy business cases

Workforce Committee

Must approve any other organisational change business cases.

Directors

Directors will:

- ensure that managers consistently and fairly apply this policy
- authorise any major change proposals with a clear auditable trail
- provide support to line managers managing difficult changes
- be aware of the impact on employees of being pay protected

They should also ensure that all proposals for major organisational change are robust and supported by a clear business case and POD have been involved throughout including development of the business case.

Managers

Managers need to:

- seek advice and guidance from POD
- treat all employees affected by change with fairness and equity
- recognise the different needs of individuals
- ensure robust plans for any proposed organisational change
- consult meaningfully with employees and trade union representatives
- ensure that proposals are communicated clearly to all concerned
- give proper recorded consideration to views expressed during consultation
- provide appropriate feedback on views expressed

- assist with the process of redeployment
- decide on the appropriate approach to secondees

In respect of pay protection managers should:

- highlight to employees the impact and extent of pay protection
- provide access to the organisational change policy
- produce a contract amendment form (CAF) at the start
- produce a CAF at the end of the pay protection period
- be familiar with the pay protection requirements
- support employees in receipt of pay protection as far as reasonably possible to secure future employment at a salary commensurate with their previous band or level

People and organisational development (POD) team

- The director in charge of POD will sign off minor organisational changes.
- Ensure that early review is conducted as to the need for change.
- Support the organisation in exploring alternatives.
- Provide advice and guidance to managers and employees on pay protection.
- Liaise with payroll to ensure accuracy of pay protection information.
- Support the organisation and managers in developing robust cases for change.
- Provide advice and guidance to line managers and employees.
- Provide advice and guidance to employees in respect of career counselling support.
- Manage the redeployment process with input from the manager and the employee.
- Review each change for potential discrimination. See equality impact assessment.

Communications

- In major change, assist with the communications to colleagues affected.

Individuals

- Participate in changes and consultation processes in a positive manner.
- Give full consideration to any offers of suitable alternative employment.
- Undertake training or retraining as may be necessary.
- Understand pay protection.
- Ensure pay protection is started or stopped at the appropriate times.

Individuals should also seek advice and clarification where required from appropriate lines of contact for example line managers, trade union representatives and a POD team member to understand the potential impact on their own job.

Individuals are also expected to cooperate with the redeployment process and give full consideration to redeployment opportunities and participation in redeployment training.

5. Policy statement

Any proposed organisational change that might impact on continued employment for an affected employee will be the subject of formal consultation and regular communication with employees and their trade union representatives. Employees will be actively encouraged to seek advice and support from their trade union representatives.

Consultation with employees and representatives will take place at the earliest opportunity when firm proposals are ready to be discussed and will provide opportunity for full contribution and feedback. Adequate time will be given in which to respond and for feedback to be given. See time periods for consultation. All reasonable efforts will be made to consult with colleagues away from work on extended leave for reason such as maternity leave, sick leave, and secondments.

Where reductions in staffing levels are necessary, or significant changes in the profile of workforce are required, the ICB will take all reasonable steps to explore options available. These will include redeployment and retraining of employees to maximise opportunities for identifying suitable alternative employment and therefore avoid redundancies where possible. The ICB will also minimise the impact of the changes by considering pausing potential individual changes to roles or posts, for example, via requests to recruit, band or level reviews or flexible working requests. This provides the opportunity to consider the requests in the context of the wider needs of the organisation given the pending changes.

The ICB will consider funding, where appropriate, the use of careers advice, CV writing support, interview skills training and other relevant training and development to support either redeployment or securing employment elsewhere. See the redeployment policy.

The ICB will seek to maximise the opportunities for existing employees to apply for posts in the new structure and will give prior consideration to existing post holders.

Where job losses may result, the statutory requirements for disclosure of information and notification to trade unions and the department for business, energy and industrial strategy will apply.

Following formal consultation, a clear implementation plan will be communicated to all affected parties. Employees will be offered a 1 to 1 meeting to discuss the personal impacts of the change or changes and will be reminded of the right to bring a trade union representative with them.

Support

As well as accessing support from trade union representatives, the ICB will provide support from occupational health and counselling services and consider other support services as appropriate.

Consultation requirements

Where changes may affect job security or contractual terms and conditions of employment, a formalised consultation process will take place, including formal notification to, and engagement with the trade unions. Prior to the commencement of consultation, such changes must be supported by a business case agreed by the ICB's executive team and people and workforce committee.

Time periods for consultation

The timing and extent of consultation for organisational change will be proportionate to the degree of the proposed change, the number of employees affected and the impact on individuals. Generally, consultation will be for a minimum of 3 weeks, but a minimum of 4 weeks may be required for more significant changes. However, the period of consultation will be based on the nature and complexity of the change and can be reduced and extended with explicit agreement with the organisation and trade union representatives and colleague representatives.

Whilst there is no statutory timescale for consultation periods because fewer redundancies are proposed, such as where 1 to 19 redundancies are proposed, the period of consultation will be as set out above.

TUPE time periods

There is no legal minimum period for formal consultation where a TUPE is proposed. However, consultation must be meaningful and allow sufficient time for employees and representatives to consider the proposals. The ICB is committed to ensuring that it will collaborate with other organisations to ensure that the TUPE regulations are applied where areas of business are transferred under these circumstances. They will also ensure colleagues have clear and consistent communications about the impact and the process from both organisations.

Other time period considerations

In all cases, the ICB will allow sufficient time for meaningful consultation with colleagues and their representatives. In exceptional circumstances where changes need to be made very quickly, the trade unions will be briefed immediately, and the verbal briefing will be followed by a written brief.

In a collective redundancy scenario, consultation will commence for a period of no less than the statutory timescales. Where 20 to 99 redundancies are proposed at 1 establishment within a period of 90 days or less then consultation should commence at least 30 days before the first redundancy takes place. Where 100 or more redundancies are proposed then consultation should commence at least 45 days before the first redundancy dismissal takes place.

The ICB and employee representatives can decide that they have informed and consulted on the issues and do not need 45 days. If that is the case, and there is explicit agreement between the organisation and the representatives to demonstrate that they have been fully informed and consulted with, then dismissal notices can be served. However, no dismissal can take effect prior to the formal consultation period ending either 30 or 45 days as required.

Trade unions and employees may request additional information or an extension of the consultation period if this is necessary to enable them to understand and contribute to an informed discussion on the merits of the proposals. Such requests will not be unreasonably refused, and where they cannot be accommodated a reason will be given.

6. Procedure

Initiating a proposal for organisational change

Any proposal for major organisational change will be set out in a business case. If the proposal is agreed by Workforce Committee and where necessary Remuneration Committee, then formal consultation can commence. The manager will meet with the POD team to discuss and map out the consultation and implementation plan. Minor changes will be agreed by the director in charge of POD.

Redundancy, redeployment and change of role

Before the organisation has determined the need for change it may be appropriate to consider offering a mutually agreed resignation scheme (MARS) prior to commencing the formal consultation process. MARS is a scheme under which an individual employee, in agreement with the organisation, chooses to leave employment in return for a severance payment. MARS is not a redundancy or a voluntary redundancy, which would be covered by Section 16 of the NHS terms and conditions of service handbook. MARS seeks to encourage turnover and provide more flexibility to redesign resource around organisational needs. It also aims to reduce the need for formal consultations. See the MARS policy. MARS is subject to NHS England and NHS improvement (NHSEI) approval and their policy.

In situations where the number of new roles is greater or equal to the number of employees who are directly affected by the change then they will be given priority for the vacant jobs.

Collective and individual consultation

The organisational change proposal will be presented as soon as practicable. This will include the colleague side representative and/or relevant trade union representative in confidence prior to the consultation, detailing the consultation and implementation methodology and timetable.

Informal consultation at the earlier stages is important to the partnership arrangements with trade unions and benefits the ICB in creating the opportunity for a shared understanding of the issues and possible options to minimise the impact on colleagues. This will be undertaken in confidence with union colleagues.

Group discussions may be held when appropriate and a 1 to 1 meeting should be offered between the manager, and all directly affected employees during the formal consultation period. These meetings will provide an opportunity to outline the proposals in greater detail and explore all the potential implications for the employee in terms of their future employment.

Communications

It is the responsibility of the manager to ensure that the affected employee, their representative and other relevant stakeholders are kept fully informed throughout the change implementation phase. The involvement and responsibilities of specific managers will be set out in the business case for major change so that managers all clearly understand their role. The POD team will support and guide managers with advice on when communication needs to take place. The change plan will include a timetable which refers to key communication needs. The communications team will assist with communications planning and implementation.

Process to align with new roles

Where the organisational change requires a process to align existing employees into new roles within a revised structure, a process will be agreed in partnership with trade unions and will include considerations of fairness and equity along with the best use of public resources.

Confirming in post

An employee will be confirmed in post where the following criteria are both met:

- the number of jobs is equal to or greater than the number of job holders in the current structure
- duties and responsibilities of the job in the new structure are the same as the employee's current job content

Slotting in

An employee will be slotted into a post where the following criteria are both met:

- the core activities, duties, and responsibilities of the job in the new structure are substantially the same as the employee's substantive role
- the number of jobs in the new structure is equal to or greater than the number of job holders

In some circumstances where individuals may have been undertaking different duties or responsibilities for a significant period of time such as a secondment, it may be relevant to consider the knowledge and experience gained as well as the substantive role.

Where there are more posts than people suitable for slot in, colleagues may be asked to complete an expression of interest against the available posts at their band or level. These expressions of interest will be considered by a panel of at least 2 people including a member of the POD team who will decide best fit of colleagues taking into account organisational need, individual skill set and individual expressions of interest where possible. Where appropriate, existing colleagues may be interviewed. The final selection decision will be made by the panel.

Where expressions of interest are requested, colleagues who have been displaced from their role will be considered ahead of those unaffected by the change.

Ringfencing

Ringfencing occurs when individuals who might be displaced because of the changes are given priority consideration for any other roles in the structure which could be considered a suitable alternative.

There may be a number of reasons that might require ringfencing including (but not limited to) the number of roles in the new structure is less than the number of people in the current structure, or an individual cannot be confirmed in post or slotted in because there are insufficient new posts to allow this. Another reason could be the roles in the new structure are different and not considered the same or substantially similar to current roles because they require different skills or responsibilities.

In situations where there is no suitable alternative employment the redundancy procedure described below would apply with the aim of avoiding redundancy wherever possible.

New posts

New posts are where the duties and responsibilities of the job have been newly created or significantly changed to the extent that it is not the same or substantially the same as any existing job. It can also be where the job may be the same or substantially the same as another, but the number of vacancies is greater than the number of comparator jobs in the established structure.

New posts will initially be considered as potential redeployment opportunities for employees who have been ringfenced. Where new posts do not represent suitable alternative employment opportunities for those employees, the jobs will be advertised internally and/or externally.

Secondments

Where an employee is currently on secondment and their substantive job is at risk of redundancy or is subject to change, the employee will be consulted and supported in the same way as other employees.

Where an employee has been on secondment in the same job for a meaningful length of time period at the start of the consultation period, the line manager will consider matching into the new structure on the basis of their seconded or substantive role.

Fixed term contracts

An employee on a fixed term contract will be eligible for matching into the new structure based on their current job. This may include matching to an interim position in the structure.

If the fixed term contract is more than two years in duration the employee will be eligible for a redundancy payment. If an employee at the point of being dismissed by reason of redundancy has two years' or more continuous service with the ICB, the redundancy payment will be calculated by reference to reckonable service in accordance with Agenda for Change. They should be considered for suitable alternative employment.

Protection of pay and conditions of service

If, as a result of organisational change, an employee is redeployed to a different job that attracts a lower band or level of salary, pay protection arrangements in line with the ICB's pay protection guidelines below.

Travelling expenses

Excess travel expenses incurred as a consequence of organisational change will be dealt with in line with the ICB's travel and subsistence expenses policy.

Redundancy procedure

Employees will be entitled to be accompanied by a Trade Union Representative or a workplace colleague at any meeting where termination of employment is considered.

Redundancy is the last resort, and the ICB will seek to avoid compulsory redundancies by the following means:

- natural turnover
- redeployment and retraining where appropriate
- voluntary redundancy or early retirement

- non-renewal of temporary contracts
- reduction in the use of agency workers in areas where jobs are at risk

In addition, the ICB will suspend and/or restrict recruitment which could include the pausing of resource request processes and job matching reviews. They will also review of overtime and other working arrangements which attract additional payments.

Any other reasonable proposals submitted by staff side, aimed at reducing redundancies will be considered.

Where employees are displaced because of organisational change, they will be deemed to be at risk of redundancy. Prior to any notice being given approval of redundancy expenditure must have been agreed by remuneration committee and approved by the relevant statutory bodies in line with legislative and statutory requirements in place at the time. Consideration should be given to suitable alternative employment or redeployment prior to notice being given. These considerations will also continue after notice has been given.

Employees who are put under notice of redundancy will be given a letter which sets out the reason for redundancy, the effective date of dismissal and any redundancy benefits that apply. Employees will have the right to appeal and the arrangements for this will also be set out in their letter.

The redeployment process will continue to run at the same time as an individual's contractual notice period and in accordance with the ICB's redeployment guidance. The appropriate manager should continue to meet with the individual employee, on a regular basis throughout the notice period to provide any support and explore possible alternatives. This includes trial periods for suitable alternatives.

The ICB will liaise with other local NHS employers to try and identify where other employment opportunities might exist and flag to the potential employer the risk of redundancy.

Employees will normally be expected to work their notice period and to take any remaining annual leave during this period. There may be occasions where it is possible to agree to an earlier release date, where it is in the interests of both the employee and the ICB.

In the event of organisational change that could result in compulsory redundancies, the ICB may consider offering the opportunity of voluntary redundancy or early retirement on the grounds of redundancy; on the basis that it may be a more positive method of achieving the required reduction in workforce numbers.

Where expressions of interest in voluntary redundancy are sought, selection criteria will be specified, and selection decisions will be made by the relevant director with support

from the line manager and POD. The ICB is under no obligation to accept any requests for voluntary redundancy.

During an employee's notice of redundancy, reasonable paid time off will be given to look for new employment or undertake training or retraining which supports future employment. Any such time must be agreed in advance with the relevant line manager.

If the employee has obtained, been offered, or unreasonably refused to apply for or accept, suitable alternative employment with the ICB or another NHS employer and that employment starts within 4 weeks of the termination date, they will not be eligible for a redundancy payment. Any payments that have been made in respect of the redundancy will be repayable.

Where an employee unreasonably refuses an offer of suitable alternative employment, they will forfeit their right to a redundancy payment.

Management support during and following a change

Managers should consider marking the start of a new team structure or saying farewell to colleagues who are leaving by suitable team events.

Where appropriate, these events could reaffirm the benefits of the change and highlight the importance of colleagues in delivering the benefits.

Where changes have resulted in redundancies or redeployment, managers should hold discussions with remaining colleagues to reassure them of their importance and the value of their contribution. Managers need to support colleagues in recognising the challenges of going through a change process both operationally and personally and recognise that support is also required once the change process is completed.

7. Pay protection

The organisation will make all reasonable efforts to redeploy and find suitable alternative employment for colleagues who are affected by change.

Pay protection refers to the arrangements that would be put in place should an employee suffer a loss of earnings following an organisational change which results in being offered a lower band or level of job. In these circumstances, employees will continue to receive their former salary for a defined period of time to enable them to adjust to the new circumstances.

When pay protection applies

Pay protection applies to all employees with a minimum of 24 months' service with the NHS.

Pay protection does not apply when an employee:

- has less than 24 months' service
- has requested to make a change which affects their earnings
- is redeployed due to a performance or health capability issue
- is redeployed as a sanction given because of a disciplinary case
- is seconded internally or externally to the organisation

If an employee, in receipt of pay protection requests a reduction in their working hours, under the ICB's flexible working policy, pay protection will only apply to the subsequent change. For example, where there is a requested change from 37.5 to 30 hours per week, pay protection will only apply to the 30 hours, for the original pay protection period.

Pay protection when moving to a different band or level

Where an employee is moved to a lower band or level of job because of organisational change, they will be assimilated to the equivalent salary, where there is an overlap between the 2 bands or levels and in such cases no pay protection of basic salary is required. However, where the employee's previous salary is more than the band or level maximum for the new job, the employee shall be assimilated to the top of the band or level and pay protection of basic salary will apply. For very senior managers, their pay will be protected at their current level, and they will be moved to the appropriate level for their position in line with pay protection principles.

Basis of pay protection

If pay protection applies, it will be on a mark time basis where the protected salary is not subject to any increases such as incremental progression or annual pay award. If increases within the new band or level reach the protected salary, then at that point the pay protection will end and revert to the new band or level and be subject to progression and pay awards as appropriate.

Level of pay protection

The level of pay protection for those with 24 months or more service is:

- 12 months at 100% protection
- A further 12 months at 50% of the difference

Pay protection is conditional on an employee undertaking additional duties, as and when reasonably required, which are commensurate with the level of protected salary.

Change of job

During the pay protection period an employee may be required to move to a job at the protected band or level if it becomes available and is considered by both the organisation and employee to be a reasonable, appropriate alternative. If the employee unreasonably refuses to move to such a job, their right to pay protection could be forfeited.

Where an employee in receipt of pay protection voluntarily secures an alternative job within the ICB at either the same or a lower band or level than the job, they are being pay protected on, pay protection will cease or be reduced accordingly. Similarly, if an employee in receipt of pay protection secures an alternative job at a band or level higher than their protected salary, pay protection will no longer be required and the payment will cease.

End of pay protection

At the end of the pay protection period, if an employee has not secured alternative employment at a level matching or exceeding their protected salary, or if the new band or level maximum has not caught up with the protected level of salary, their basic pay will move to band or level maximum of the job.

Protection of additional earnings

Where it is anticipated that through organisational change, an employee's additional payments above that of basic salary, for example, contracted or non-contracted overtime, on call, unsocial hours will be removed, or the requirement reduced; pay protection will not apply. Employees affected will be given 3 months' notice of the changes in these cases.

Excess mileage

Employees who are required to change their base of work as a result of organisational change may be reimbursed their daily travelling expenses on the basis of the difference between the mileage from the home to new base, less the mileage from the home to former base. The mileages should be calculated as the shortest practicable route. This is paid at the reserve rate which is approximately 50% of the standard mileage rate. The provisions and arrangements relating to this are outlined in our flexible working policy.

Notice period

If an employee is required to move to a new role, the notice period for the new job will apply, regardless of the notice period of the previous role.

8. Support

There are a number of ways in which colleagues can access support during a change process. Questions and concerns about the process should be raised with the line manager, a POD team member or senior manager responsible for leading the change.

Trade unions also provide support to their members not just through representation during the process, but they can also offer advice and support about careers and retraining.

Other areas or sources of support can include but are not limited to:

- career counselling or coaching
- redeployment processes
- wellbeing actions or sessions such as sessions on resilience and dealing with change
- learning and development
- occupational health including counselling
- the Advisory, Conciliation and Arbitration Service (ACAS) guidance
- benefits and welfare information

9. Keeping records

All stages of this procedure should be recorded and retained in the employee's personal file. Records kept will be referred to at future stages of the procedure, as necessary.

10. Implementation plans, updating and review arrangements

The policy will be discussed with staff voice groups, issued to staff side and to colleagues for review, any comments will be reviewed, and it will then be implemented.

This policy will be reviewed following the implementation of major organisational change in terms of its effectiveness in supporting the process and employees or following a change to legislation. It will also be reviewed every 3 years.

Training will be included in management training where appropriate.

11. Policies referred to in this document

- Travel and subsistence expenses policy
- Partnership agreement
- Performance policy
- Equality and diversity policy
- Flexible working policy
- MARS policy

Appendix 1: Equality impact assessment

Name of policy or service to be assessed: Organisational and service change policy
Department or section: People and organisational development
Date of assessment: 1 February 2021
Person(s) responsible for the assessment: Tricia Phillips people and organisational development
Is this a new or existing policy? Existing

Aims, objectives and purpose of the policy

Describe the aims, objectives and purpose of the policy

To support the process of organisational change.

Who is intended to benefit from this policy, and in what way?

All employees of the ICB.

What outcomes are wanted from this policy?

Clear and consistent process.

What factors or forces could contribute or detract from the outcomes?

Failure to apply the appropriate process. Failure to involve people and organisational development at early stages of considering organisational change as a possibility.

Who are the main stakeholders in relation to the policy?

Employees, trade union representatives and management.

Who implements the policy, and who is responsible for the policy?

Managers implement with POD support. The director in charge of POD is responsible for the policy with appropriate committee approval.

Differential impacts

Perspective of race, nationality and/or ethnic origin

Does this have a positive or negative impact on black, Asian and minority ethnic (BAME)?

There will be no negative impacts on this group providing the policy is applied consistently and any criteria used, for example, in selecting for redundancy is objective and agreed in partnership with trades unions.

How will any negative impact be mitigated?

Not applicable.

Perspective of sex

Does this have a positive or negative impact on people who identify as male, female or intersex?

There will be no negative impacts on this group providing the policy is applied consistently and any criteria used, for example, in selecting for redundancy is objective and agreed in partnership with trades unions. Proposed models for new structures if predicated on an assumption of full time working, may indirectly discriminate against women. Equal pay benchmarking should be considered.

How will any negative impact be mitigated?

Not applicable.

Perspective of disability

What is the positive or negative differential impact on people from the perspective of disability?

There will be no negative impacts on this group providing the policy is applied consistently and any criteria used, for example, in selecting for redundancy is objective and agreed in partnership with trades unions.

All reasonable efforts will be made to consult with colleagues away from work on extended leave, for example, those on sick leave.

How will any negative impact be mitigated?

Not applicable.

Perspective of sexual orientation

Does this have a positive or negative impact on people who identify as heterosexual, lesbian, gay, bisexual, pansexual or asexual?

There will be no negative impacts on this group providing the policy is applied consistently and any criteria used, for example, in selecting for redundancy is objective and agreed in partnership with trades unions.

How will any negative impact be mitigated?

Not applicable.

Perspective of age

What is the positive or negative differential impact on people from the perspective of age?

There will be no negative impacts on this group providing the policy is applied consistentlyand any criteria used, for example, in selecting for redundancy is objective and agreed in partnership with trades unions.

How will any negative impact be mitigated?

Not applicable.

Perspective of religion or belief

What is the positive or negative differential impact on people from the perspective of religion or belief?

There will be no negative impacts on this group providing the policy is applied consistentlyand any criteria used, for example, in selecting for redundancy is objective and agreed in partnership with trades unions.

How will any negative impact be mitigated?

Not applicable.

Perspective of marriage and civil partnership

What is the positive or negative differential impact on people from the perspective of marriage and civil partnership? This is particularly relevant for employment policies.

There will be no negative impacts on this group providing the policy is applied consistentlyand any criteria used, for example, in selecting for redundancy is objective and agreed in partnership with trades unions.

How will any negative impact be mitigated?

Not applicable.

Differential impact perspective of gender re-assignment

Does this have a positive or negative impact on people who identify as trans or transgender, non-binary or gender fluid?

There will be no negative impacts on this group providing the policy is applied consistently and any criteria used, for example, in selecting for redundancy is objective and agreed in partnership with trades unions.

How will any negative impact be mitigated?

Not applicable.

Perspective of pregnancy and maternity

Does this have a positive or negative impact on people who are pregnant, breast feeding mothers, or those on maternity leave?

There will be no negative impacts on this group providing the policy is applied consistently and any criteria used, for example, in selecting for redundancy is objective and agreed in partnership with trades unions.

How will any negative impact be mitigated?

Not applicable.

Other identified groups

Consider carers, veterans, different socio-economic groups, people living in poverty, area inequality, income, resident status (migrants), people who are homeless or living in unstable accommodation, long-term unemployed, people who are geographically isolated, people who misuse drugs, those who are in stigmatised occupations, people with limited family or social networks, and other groups experiencing disadvantage and barriers to access.

How will any negative impact be mitigated?

No other negative groups.

Human rights values

How have the core human rights values of fairness, respect, equality, dignity and autonomy been considered in the formulation of this policy, service or strategy?

The policy aims to ensure fairness through consistent application for all employees. The consultation process recognises not just statutory entitlement but principles of actively engagingwith colleagues as individuals to respect their individual needs and circumstances and in doing so recognises the equality, dignity and autonomy of each individual.

Which of the human rights articles does this document impact?

☐ To life
☐ Not to be tortured or treated in an inhuman or degrading way
☐ To liberty and security
☐ To a fair trial
☒ To respect for home and family life, and correspondence
☐ To freedom of thought, conscience and religion
☐ To freedom of expression
☐ To freedom of assembly and association
☐ To marry and found a family
☒ Not to be discriminated against in relation to the enjoyment of any of the rights contained in the European Convention
☐ To peaceful enjoyment of possessions

What existing evidence (either presumed or otherwise) do you have for this?

Changes in work organisation may impact on home and family life and these are identified and addressed through the consultation process.

How will you ensure that those responsible for implementing the policy are aware of the human rights implications and equipped to deal with them?

POD involvement in the design process and consultation with trades unions and individuals allow the ICB to understand and potential impact on the individuals and home life and consider these and mitigate accordingly.

Public Services (Social Value) Act 2012

tis committed and obliged to fulfil the requirements of the Public Services Sector (Social Value) Act 2012. This Act requires the organisations to consider how services commissioned or procured might improve the economic, social and environmental wellbeing of an area.

Please describe how this will support and contribute to the local system, wider system and community.

Please consider:

- The inclusion of small medium size enterprises (SMEs) in the process and supply chain
- Economic – promote skills, tackle worklessness, maintain employment, increase volunteer hours to support the community and promote inclusion
- Social – reduce anti-social behaviour, tackle exclusion by promoting inclusion including to vulnerable groups
- Environmental – support local, reduce congestion.

Describe how the policy contributes towards eliminating discrimination, harassment and victimisation.

Consistent application of this policy will ensure a fair system

Describe how the policy contributes towards advancing equality of opportunity.

This policy ensures a fair process at times of change

Describe how the policy contributes towards promoting good relations between people with protected characteristics.

It creates a fair process for all

If the differential impacts identified are positive, explain how this policy is legitimate positive action and will improve outcomes, services and/or the working environment for that group of people.

Not applicable.

Explain what amendments have been made to the policy or mitigating actions have been taken, and when they were made.

Not applicable.

If the negative impacts identified have been unable to be mitigated through amendment to the policy or other mitigating actions, explain what your next steps are using the following equality impact assessment action plan.

If applicable, please complete table below. The action plan should be completed if the equality impact assessment has identified that additional steps need to be taken to address adverse outcomes for particular protected groups, or to collect additional evidence to inform the analysis. Please list below any recommendations for action that you plan to take as a result of this impact assessment.

Equality impact assessment action plan

Issues to be addressed	Action required	Responsible person	Timescale for completion	Action taken	Comments
Potential indirect discrimination for women if part time working is not facilitated	Review by POD team members for each consultation.	Director in charge of POD	To be completed for each change	Added to responsibilities	

Signed (completing officer): Tricia Phillips

Date: 1 February 2021

Signed (head of department or section): Emma Goudge

Date: 1 February 2021

Please ensure that a signed copy of this form is sent to both the corporate governance team with the policy and the equality and diversity lead.