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RECONFIGURATION - CHANGE MANAGEMENT PROCESS

1. SCOPE

- 1.1 This Change Management Process Framework is provided to give practical clarity to staff of the East of England Ambulance Service NHS Trust, (the Trust). It must be read, and applied in conjunction with the Trust's Managing Change Policy.

2. APPOINTMENT PROCESS PRINCIPLES

- 2.1 The arrangements for making appointments to structures in the new organisations (redeployment) will be transparent, fair and is based on the principles set out in the national Human Resources Framework for Ambulance Trusts.
- 2.2 The redeployment system and process outlined below cannot guarantee jobs or posts but is aimed at providing an effective way of matching people with relevant skills to appropriate posts (either discrete posts and/or posts in tiers) and ultimately retaining key skills.
- 2.3 All interview panel members will have had training in diversity issues, including related current legislation and good practice.
- 2.4 Under the Fixed-Term Workers' Directive, in general, employees on fixed-term contracts have the right not to be treated less favourably than comparable permanent employees. There can be many types of temporary or fixed-term contracts and many reasons for the existence of such a contract, so the entitlement of such a contract holder to apply for posts within the new organisations will be dependent on individual circumstances and considered on an individual basis.
- 2.5 Employees on secondment, who hold a contract of employment in another organisation, will be the responsibility of their statutory employer.

3. POOLING AND TIERING

- 3.1 The creation of the new Trust and the transfer of staff from the predecessor organisations means new organisation structures for parts of the organisation.

This will be defined in the structure for the parts of the organisation which will be subject to change under the reconfiguration and they will be put out for wide consultation.

- 3.2 Effectively staff whose jobs have changed significantly or disappeared in the new structures will have access to posts in the new structures in line with the following pooling and tiering arrangements.

3.3 Pooling

- 3.3.1 At an organisational level, the primary pooling arrangements for the new Trust will be limited to posts within the new organisation as at 1 July 2006.

- 3.3.2 Individuals will be invited to express a preference for which pool they wish to join as their primary choice.

3.4 Choice to select an alternative primary pool

- 3.4.1 All substantive post holders in the East of England Ambulance Service may request to be considered for posts in another organisational pool however, there is no right to this. Individuals are advised to apply for a post within the Trust. Any requests will be submitted to the Eastern Workforce Advisory Group (EWAG) who will be asked to consider the request against criteria established for CPLNHS. Any request will have to demonstrate that the reasons for changing pool relate to Taking Healthcare to the Patient: Transforming NHS Ambulance Services rather than personal preference.

- 3.4.2 Staff are advised to think carefully before requesting that they be considered for a post in another organisation as staff within those organisations may have or be given priority consideration. **It is important to be aware that if an individual is accepted into another organisation's pool, they will sacrifice any rights to access posts in this Trust.** This will be confirmed to them in writing.

- 3.4.3 Specific criteria on choice will be determined through EWAG. A sub group of EWAG (to include staffside representation) will monitor all requests for choice and, should it prove necessary, take steps if requests for choice cause significant detrimental impact to an organisation.

3.5 Tiering

- 3.5.1 A 'tier' defines the level of jobs which can be accessed.

- 3.5.2 It is the intention of the Trust to appoint staff who are at risk into a post which is at an equivalent level in terms of earnings.

- 3.5.3 Within the Trust, **a tier is defined as a post within the same Pay Band and one band range either side.** For example, an individual currently employed in Band 6 would be eligible to access posts in Bands 5, 6 and 7.

- 3.5.4 However, **in order to access a job in a Band higher than their current one, the new post must be:**

- At the same level in the organisational hierarchy as their current post (for example, 2 levels below Director); or, the new post is in the same discipline (i.e. clinical services, finance, HR, administration, A&E ops etc.), requiring a similar job specific knowledge and experience; **and**,
- The NHS Job Evaluation score for Factor 2: Knowledge, training and experience is at the same level.

3.5.5 Pay Band is determined either:

- By reference to the Agenda for Change Pay Band of the employee's substantive post, where the employee is paid on Agenda for Change terms and conditions of employment, or
- For an employee who was made an offer of Agenda for Change pay, terms and conditions in their current role, and who declined the offer (opting to remain on their locally-determined pay, terms and conditions), they will be assigned to a tier on the basis of the Agenda for Change Pay Band they were offered.

3.5.6 It should be noted however, that whilst the 'tier' will define the level of jobs in the primary pool, they can access, it is the person specification and the assessment of their skills, knowledge and experience that will define an individual's suitability for a given position. This assessment may result in them being suitable for 'slotting in' or, where there are more individuals at risk than there are posts in the new structure, for 'restricted competition'.

3.5.7 Thus, whilst an individual may be given access to apply as part of 'restricted competition' for a post within their tier, it will be for an assessment of their skills, knowledge and experience against the essential criteria for the post, as outlined in the person specification, which will determine if they are shortlisted for interview and/or assessments etc., and ultimately, whether they are successful in their application and appointed to the post.

3.5.8 Individuals who are unsuccessful for appointment to new posts within their tier, will not be eligible for slotting in or restricted competition at a lower Band than their tier permits. Exceptions may be made to the rule if:

- Attempts to redeploy staff who are eligible to access that post or posts in that tier are exhausted; and
- It is the express wish of the employee; and
- It is considered appropriate by the Trust.

3.5.9 Individuals who are unsuccessful for appointment to new posts within their tier, and indeed, all individuals who are formally at risk, will be supported in seeking redeployment through the East of England clearing house arrangements. Guidance on this will be available from the Human Resources team.

4. APPOINTING TO POSITIONS IN THE NEW ORGANISATION

- 4.1 Staff who transferred to the new organisation on 1 July 2006 will maintain their contractual terms. All offers of appointments to new posts in the reconfigured organisation will be on the new terms and conditions for the Trust.
- 4.2 In departments or teams where staff have not been confirmed in post, an individual may, nonetheless, be slotted into a post where their duties and accountability are not significantly reorganised. These individual staff must satisfy the requirements of paragraphs 4.3 and 4.4. The Chief Executive of the new Trust, advised and supported by the HR Organisation Lead, will decide whether the duties and accountability of an individual is deemed to be “not significantly reorganised”.
- 4.3 Before deciding that an individual’s work and accountability is “not significantly reorganised”, the Chief Executive must be assured that no other person elsewhere in the new Trust is put at risk of redundancy because of a transfer of any duties to that individual.
- 4.4 A person will be slotted into a post, in accordance with the Managing Change Policy, where:
- no other person is able to claim that they should be slotted into the same post; and,
 - 80% of the duties of the post before slotting-in, as described in the job description, remain as duties of the post after slotting-in; and,
 - the Pay Band of the post does not change as a result of slotting-in; and,
 - the employee meets the person specification for the post, including the minimum applied knowledge and skills required for the job as described in the Person Specification or Knowledge and Skills Framework (KSF) Outline for the post.

5. REDUNDANCY / EARLY RETIREMENT PROVISIONS

- 5.1 Guidance is available from the HR teams on the provisions and requirements in relation to any circumstance where a member of staff either wishes to access an NHS early retirement option (provided they are members of the NHS Pension Scheme) or who is made redundant as a consequence of no suitable alternative post being available.

6. VARIATIONS

- 6.1 Nothing in this Change Management Process framework obviates the responsibility of the Trust to comply with legal or audit requirements, supplementary NHS guidance or Secretary of State Directives. This framework may be varied in exceptional circumstances to comply with the above or to ensure employees are treated in a fair and equitable manner.