

# HUMAN RESOURCES COMMITTEE

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Thursday, 11 December 2014 at 7.30 p.m.

Room MP702, 7th Floor, Town Hall, Mulberry Place, 5 Clove Crescent,  
London, E14 2BG

This meeting is open to the public to attend.

**Members:**

Chair: Councillor Clare Harrisson

Vice-Chair: Councillor Dave Chesterton

Councillor Khales Uddin Ahmed, Councillor Rachel Blake, Councillor Alibor Choudhury,  
Councillor Julia Dockerill and Councillor Oliur Rahman

**Deputies:**

Councillor Abdul Asad, Councillor Craig Aston, Councillor Peter Golds, Councillor  
Aminur Khan, Councillor Shiria Khatun, Councillor John Pierce, Councillor Gulam  
Robbani, Councillor Rachael Saunders and Councillor Andrew Wood

[The quorum for this body is 3 Members]

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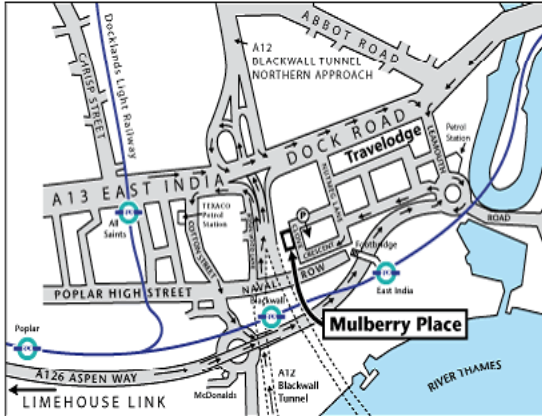
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## **APOLOGIES FOR ABSENCE**

### **1. DECLARATIONS OF DISCLOSABLE PECUNIARY INTEREST 1 - 4**

To note any declarations of interest made by Members, including those restricting Members from voting on the questions detailed in Section 106 of the Local Government Finance Act, 1992.

See attached note from the Monitoring Officer.

### **2. MINUTES OF THE PREVIOUS MEETINGS**

To confirm as a correct record the unrestricted minutes of the meetings of the Human Resources Committee held on 15 September 2014 and 22 October 2014. (to follow)

### **3. REPORTS OF CORPORATE DIRECTOR, RESOURCES**

#### **3.1 Employment Options 5 - 36**

#### **3.2 Organisational Structure (to follow) 37 - 42**

[Note – on the original agenda this item was placed in the Exempt Reports section but the final report is unrestricted so it has been moved up the agenda.]

### **4. ANY OTHER UNRESTRICTED BUSINESS WHICH THE CHAIR CONSIDERS URGENT**

### **5. EXCLUSION OF THE PRESS AND PUBLIC**

In view of the contents of the remaining items on the agenda the Committee is recommended to adopt the following motion:

“That, under the provisions of Section 100A of the Local Government Act 1972, as amended by the Local Government (Access to Information) Act 1985, the press and public be excluded from the remainder of the meeting for the consideration of the Section Two business on the grounds that it contains information defined as Exempt in Part 1 of Schedule 12A to the Local Government Act, 1972.”

#### **EXEMPT SECTION (Pink Papers)**

The exempt committee papers in the agenda will contain information, which is commercially, legally or personally sensitive and should not be divulged to third parties. If you do not wish to retain these papers after the meeting, please hand them to the Committee Officer present.

**6. EXEMPT/CONFIDENTIAL MINUTES OF THE PREVIOUS MEETINGS**

To confirm as a correct record the exempt/confidential minutes of the meetings of the Human Resources Committee held on 15 September 2014 and 22 October 2014. (to follow)

**7. EXEMPT/CONFIDENTIAL REPORTS FOR CONSIDERATION**

**7 .1 Senior Management Vacancies 43 - 60**

**7 .2 Appointment of Chief Executive Update 61 - 78**

**8. ANY OTHER EXEMPT/CONFIDENTIAL BUSINESS WHICH THE CHAIR CONSIDERS URGENT**

**Next Meeting of the Committee**

The next meeting of the Committee will be held on Wednesday, 28 January 2015 at 7.30 p.m. in Room MP702, 7th Floor, Town Hall, Mulberry Place, 5 Clove Crescent, London, E14 2BG

# Agenda Item 1

## **DECLARATIONS OF INTERESTS - NOTE FROM THE MONITORING OFFICER**

This note is for guidance only. For further details please consult the Members' Code of Conduct at Part 5.1 of the Council's Constitution.

Please note that the question of whether a Member has an interest in any matter, and whether or not that interest is a Disclosable Pecuniary Interest, is for that Member to decide. Advice is available from officers as listed below but they cannot make the decision for the Member. If in doubt as to the nature of an interest it is advisable to seek advice **prior** to attending a meeting.

### **Interests and Disclosable Pecuniary Interests (DPIs)**

You have an interest in any business of the authority where that business relates to or is likely to affect any of the persons, bodies or matters listed in section 4.1 (a) of the Code of Conduct; and might reasonably be regarded as affecting the well-being or financial position of yourself, a member of your family or a person with whom you have a close association, to a greater extent than the majority of other council tax payers, ratepayers or inhabitants of the ward affected.

You must notify the Monitoring Officer in writing of any such interest, for inclusion in the Register of Members' Interests which is available for public inspection and on the Council's Website.

Once you have recorded an interest in the Register, you are not then required to declare that interest at each meeting where the business is discussed, unless the interest is a Disclosable Pecuniary Interest (DPI).

A DPI is defined in Regulations as a pecuniary interest of any of the descriptions listed at **Appendix A** overleaf. Please note that a Member's DPIs include his/her own relevant interests and also those of his/her spouse or civil partner; or a person with whom the Member is living as husband and wife; or a person with whom the Member is living as if they were civil partners; if the Member is aware that that other person has the interest.

### **Effect of a Disclosable Pecuniary Interest on participation at meetings**

Where you have a DPI in any business of the Council you must, unless you have obtained a dispensation from the authority's Monitoring Officer following consideration by the Dispensations Sub-Committee of the Standards Advisory Committee:-

- not seek to improperly influence a decision about that business; and
- not exercise executive functions in relation to that business.

If you are present at a meeting where that business is discussed, you must:-

- Disclose to the meeting the existence and nature of the interest at the start of the meeting or when the interest becomes apparent, if later; and
- Leave the room (including any public viewing area) for the duration of consideration and decision on the item and not seek to influence the debate or decision

When declaring a DPI, Members should specify the nature of the interest and the agenda item to which the interest relates. This procedure is designed to assist the public's understanding of the meeting and to enable a full record to be made in the minutes of the meeting.

Where you have a DPI in any business of the authority which is not included in the Member's register of interests and you attend a meeting of the authority at which the business is considered, in addition to disclosing the interest to that meeting, you must also within 28 days notify the Monitoring Officer of the interest for inclusion in the Register.

**Further advice**

For further advice please contact:-

Meic Sullivan-Gould, Monitoring Officer, 020 7364 4801; or

John Williams, Service Head, Democratic Services, 020 7364 4204

## APPENDIX A: Definition of a Disclosable Pecuniary Interest

(Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012, Reg 2 and Schedule)

Subject	Prescribed description
Employment, office, trade, profession or vacation	Any employment, office, trade, profession or vocation carried on for profit or gain.
Sponsorship	<p>Any payment or provision of any other financial benefit (other than from the relevant authority) made or provided within the relevant period in respect of any expenses incurred by the Member in carrying out duties as a member, or towards the election expenses of the Member.</p> <p>This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.</p>
Contracts	<p>Any contract which is made between the relevant person (or a body in which the relevant person has a beneficial interest) and the relevant authority—</p> <p>(a) under which goods or services are to be provided or works are to be executed; and</p> <p>(b) which has not been fully discharged.</p>
Land	Any beneficial interest in land which is within the area of the relevant authority.
Licences	Any licence (alone or jointly with others) to occupy land in the area of the relevant authority for a month or longer.
Corporate tenancies	<p>Any tenancy where (to the Member's knowledge)—</p> <p>(a) the landlord is the relevant authority; and</p> <p>(b) the tenant is a body in which the relevant person has a beneficial interest.</p>
Securities	<p>Any beneficial interest in securities of a body where—</p> <p>(a) that body (to the Member's knowledge) has a place of business or land in the area of the relevant authority; and</p> <p>(b) either—</p> <p>(i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or</p> <p>(ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the relevant person has a beneficial interest exceeds one hundredth of the total issued share capital of that class.</p>

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# Agenda Item 3.1

<b>Committee:</b> HR Committee	<b>Date:</b> 11 <sup>th</sup> December 2014	<b>Classification:</b> Unrestricted	<b>Agenda Item:</b> 3.1
<b>Report of:</b> Stephen Halsey, Head of Paid Service		<b>Title:</b> Employment Options Savings Programme Update  <b>Wards Affected:</b> All	

## 1. SUMMARY

- 1.1 The Employment Options Saving Programme was launched by the Head of Paid Service in July 2014. The aim of the programme is to allow staff to submit requests for voluntary redundancy / early retirement, flexible working or flexible retirement to deliver savings to support delivery of the Medium Term Financial Plan (MTFP).
- 1.2 This would reduce the risk of compulsory redundancy in pursuing other savings options, inform future workforce planning and provide opportunities for managers to identify additional savings.
- 1.3 The decision making process is now complete except for deciding the outcome of requests from employees for a review of their decision. An equalities impact assessment (EQIA) has been undertaken as a key part of this process which is analysed in section 4 below.

## 2. RECOMMENDATIONS

The HR committee are recommended to:

- 2.1 Note the progress made to date on the Employment Options Savings Programme and actions being taken in response to the Equalities Impact Assessment.
- 2.2 Note information provided on the number of restructures taking place during the next 6 months and the provision of additional paid time off for trade union facilities to support the change process.
- 2.3 Note the process in place for managing 'bumped redundancies' and the future of the Employment Options Savings Programme.

## 3. BACKGROUND

- 3.1 Staffing is a non-executive function by virtue of the Local Authorities (Functions and Responsibilities) (England) Regulations 2000. All staffing matters up to Chief and Deputy Chief Officer (broadly up to Service Head level) are delegated to the Head of Paid Service. The Head of Paid Service exercised these powers in the introduction of the Employment Options Savings Programme.

- 3.2 This report follows on from previous reports to the HR Committee on 15<sup>th</sup> September and 22<sup>nd</sup> October 2014. In response to financial pressures, the Employment Options Programme offered all employees, excluding schools staff, the opportunity to express an interest in voluntary redundancy, early retirement, flexible retirement and flexible working options to take effect from 2015/16. Employees were also able to express an interest for these options in either of the following two financial years in order to inform future workforce planning.
- 3.3 The closing date for expressions of interest was 22<sup>nd</sup> August. The total number of expressions of interest has remained fluid since the closing date. A number of late applications have been received, whilst a number of requests have also been withdrawn and some employees have amended the year to take effect from. The table below shows the expressions of interest as at 20<sup>th</sup> November 2014:

<b>Number of Expressions of Interest Received:</b>	<b>To take effect from:</b>
517	Before 31 <sup>st</sup> March 2015
131	Between April 2015 and March 2016
149	Between April 2016 and March 2017
<b>797</b>	<b>Total</b>

- 3.4 Each Service Head was provided with the expressions of interest received from within their service areas. Service Heads were responsible for reviewing each expression of interest and recommending an outcome; in accordance with the detailed decision making criteria that was issued as part of the guidance for the programme.
- 3.5 Service Head recommendations were reviewed by Directorate People Panels, Directorate Management Teams and the Corporate Director. Once approved by the Corporate Director, Directorate recommendations were collated by HR and presented to the People Board, where final decisions were taken during a series of meetings on 9<sup>th</sup>, 10<sup>th</sup> and 13<sup>th</sup> October.
- 3.6 Employees who had a request rejected were able to submit a request for a review of the decision by the People Board Review Panel. This is a written process only and does not require employees or their Trade Union representatives to attend in person. The deadline for requests for review to be submitted was 21<sup>st</sup> November 2014. The Review Panel will have completed their work by 11<sup>th</sup> December 2014.

#### **4. OUTCOME OF EMPLOYMENT OPTIONS REQUESTS AND SAVINGS**

- 4.1 A summary of the outcome of the requests submitted by employees is attached as Appendix 1. This includes changes since the last report to this Committee on Employment Options on 22<sup>nd</sup> October 2014. The

summary table includes the percentage of staff in each Service and Directorate that submitted a requested. Overall, 16.7% of the Council's workforce submitted and Employment Options request. 37.9% of the Employment Options requests received are progressing i.e. through a Service Challenge Restructure, Additional Restructure or Outside of a Restructure. Also included are the percentage of staff that have a request progressing, for which the Council wide figure is 6.3%. The value of vacant posts identified for deletion and those requests that can progress through an additional restructure or outside of a formal restructure is £3.9million.

- 4.2 To clarify the difference, Service Challenge Restructures are the result of the process that officers undertook to identify savings options to deliver the MTFP. Additional Restructures are those that have been identified by managers following Employment Options requests from employees providing an opportunity for officers to consider how further savings could be made without impacting on service delivery.
- 4.3 Appendix 1 also shows the number of requests and their outcomes according to three different pay bands. This data is summarised in Table 1 below which shows that, when compared to the percentage of the workforce within each grade band, a greater proportion of requests were received and approved from employees in grades PO1 to PO6 and LPO7 and above. This indicates that the number of managers in the Council should reduce as a result of the savings programme which should also result in fewer tiers in management structures and increased spans of control.

**Table 1: Analysis of Employment Options Requests and Outcome by Pay Band**

<b>Pay Band</b>	<b>% of Workforce</b>	<b>% of Requests Received</b>	<b>% of Requests Progressing</b>
<b>SO2 and Below</b>	59.5	47.9	41.0
<b>PO1 to PO6</b>	35.7	43.3	47.0
<b>LPO7 and above</b>	4.8	8.8	11.9

- 4.4 The equality impact assessment (EQIA) has been updated since the Committee last met on 22<sup>nd</sup> October 2014 and is attached as Appendix 2. The changes concern action to mitigate potential for adverse impact on female employees although the actions identified to avoid compulsory redundancy will apply equally to all staff at risk. This EQIA relates solely to the analysis of EO decisions. Each restructure will have an EQIA as part of the formal consultation process whilst a further EQIA will be completed once decisions and the outcomes of

restructures have been implemented to analyse how the workforce has changed as a result of the savings programme.

- 4.5 The EQIA in appendix 2 looks at 2 issues:
1. The impact on workforce to reflect the community indicators
  2. The impact on staff with based on their protected characteristics.
- 4.6 It should be noted that statistical analysis is impacted by the proportion of staff aged 55 and over that have submitted requests – they form 17% of the workforce but 57% of EO requests. There is a strong correlation between age and ethnicity, disability and religion which means Employment Options applicants are more likely to be White, Disabled or Christian.
- 4.7 Information is included in the EQIA on the predicted impact on Workforce to Reflect the Community indicators. This shows that 5 out of the 6 indicators could potentially improve. The one which does not is the % of disabled staff which is impacted by the disproportionate number of disabled staff submitting a request. Action has been identified to follow up with these staff to provide reassurance their decision has not resulted from a failure of managers to provide support in the workplace.
- 4.8 The analysis by race accounts for why ethnicity of the workforce overall could improve performance against Workforce to Reflect the Community indicators. 38% of staff aged under 55 are white compared to 63% over the age of 55. In comparison, 26% of staff aged under 55 are Bangladeshi and 6% aged over 55. However, there is no significant difference in the proportion of Black staff aged over or under 55 so further work being undertaken to analyse these requests.
- 4.9 The other potential disproportionate outcome is in terms of gender. This shows 74% of requests in scope of service challenge restructures are female which is 10% more than the number of requests. This is as a result of large number in scope of Home Care and Day Nurseries savings options (77% and 98%).
- 4.10 It is hoped that the Council will be able to retain all staff that want to remain through a combination of redeployment, bumped redundancy and retraining. Staff that wish to move on will be offered support to help find alternative employment for which the Council will identify and work with partner organisations that can offer assistance. Discussions with Trade Unions have already commenced to ensure the opportunities to retain Home Carers are maximised.
- 4.11 The EQIA has been shared with Trade Unions and will also be taken to staff equality forums.

## 5. **RESTRUCTURES**

- 5.1 The Corporate Director Resources and Service Head Corporate Strategy and Equality met with the Trade Union Branch Secretaries on 27<sup>th</sup> November to provide a briefing on the content of the MTFP budget report ahead of the Cabinet meeting on 3<sup>rd</sup> December 2014. Directorate briefings for Trade Unions that are required 5 days in advance of consultation took place on 27<sup>th</sup> and 28<sup>th</sup> November. The purpose of these briefings is to ensure Trade Unions are aware of the key issues and potential impact of restructure proposals so they are better able to advise their members.
- 5.2 Additional paid time off for trade union facilities has been put in place to ensure Unison, GMB and Unite have sufficient capacity to support and advise staff during the peak period of change up to the end of March 2015.

**Table 2: Restructure Start Dates (as at 21 November 2014)**

<b>Directorate</b>	<b>Dec-14</b>	<b>Jan-15</b>	<b>Apr to Jun 15</b>	<b>No Date</b>	<b>Total</b>
<b>CLC</b>	3	2		5	<b>10</b>
<b>Cross</b>		1	1		<b>2</b>
<b>D&amp;R</b>	3	4	2		<b>9</b>
<b>ESCW</b>	10	15	5	3	<b>33</b>
<b>LPG</b>				3	<b>3</b>
<b>Res</b>	4	1	1		<b>8</b>
<b>Total</b>	<b>20</b>	<b>22</b>	<b>8</b>	<b>11</b>	<b>63</b>

- 5.3 The position on restructure consultation start dates is summarised in Table 2 above. At the time of writing, 20 restructures are planned to commence following December's Cabinet meeting with formal consultation meetings with employees and Trade unions taking place on 4<sup>th</sup>, 5<sup>th</sup>, 8<sup>th</sup> and 9<sup>th</sup> December 2014. In agreement with Trade Unions and People Board, these meetings are co-ordinated centrally to ensure there are no clashes of dates for those required to be in attendance.
- 5.4 There are 22 formal consultations starting in January during weeks commencing 5<sup>th</sup> and 12 January 2015, 4 for the period April to June 2015 and 11 savings opportunities that require a restructure which do not yet have a date.

## **6. BUMPED REDUNDANCY PROCESS**

- 6.1 Following a meeting between HR and Trade Unions, a process for managing bumped redundancies has been produced. A copy of this process is attached as Appendix 3.
- 6.2 The Bumped Redundancy Process will largely follow the Council's established Redeployment Process. In order not to incur unnecessary redundancy costs, employees at risk of redundancy will first be considered against vacant posts before looking at bumped redundancy opportunities. The proposed method for managing bumped redundancies includes:
- A provision for employees job descriptions to be assessed to determine whether there is a close enough match for them to be put into a post without the need for an interview. The assessment will be done jointly by HR and Trade Unions on a case by case basis to determine whether this applies.
  - Notice of redundancy will be given to the employee being voluntarily 'bumped' from their job once a trial period has commenced.
  - Provision for work shadowing with existing postholders ahead of a trial period starting to help ensure the job match is appropriate.
  - Direction for managers in situations where more than one employee doing the same job needs to be selected for release under a bumped redundancy.
  - Confirmation that reasonable training and qualification support will be funded if it can be used to avoid a compulsory redundancy.

## **7. FUTURE OF EMPLOYMENT OPTIONS**

- 7.1 Services with 5 or more requests for future years will be reviewed by Service Heads and HR Business Partners in March/April 2015 – after the peak period of managing employee consultation processes has been completed.
- 7.2 The Employment Options process may be opened up again for further requests from staff if it is considered appropriate for supporting the strategy for delivery of future savings needed under the MTFP.
- 7.3 Now that the decision making process is nearing completion, it is proposed to identify the lessons learned so far to identify what needs to be improved and what worked well to inform how to approach and manage the process next year. This will be reported back to People Board with appropriate recommendations.

## **8. COMMENTS OF THE CHIEF FINANCIAL OFFICER**

- 8.1 The employment options programme is designed to assist the organisation deliver the £28.4m savings target required to achieve a balanced budget in 2015/16.
- 8.2 The total number of ER/VR requests approved will contribute an estimated £3.9m (ongoing) towards the savings programme and will cost in the region of £3.5-4m (one-off redundancy and severance payments). The cost of this programme will be funded through an earmarked reserve which currently stands at £11m. The balance of this provision will be required to fund the cost of further staffing changes that will arise from the wider savings programme.

## **9 LEGAL COMMENTS**

- 9.1 Section 139 of the Employment Rights Act 1996 defines redundancy in this context as a dismissal which is attributable to the fact that the requirements for work of a particular kind have ceased or diminished or are expected to cease or diminish. (Section 139(1) (b))
- 9.2 Statutory Redundancy payments are payable to an employee with more than two year's continuous service. (Employment Rights Act 1996 section 162). The maximum statutory redundancy pay is capped at £13,920.00 (The Employment Rights (Increase of Limits) Order 2014).
- 9.3 The Council's powers to make redundancy payments over the statutory scheme, derives from the Local Government (Early Termination of Employment) (Discretionary Compensation) (England & Wales) Regulations 2006.
- 9.4 When deciding whether or not to proceed with these decisions the Council must have due regard to the need to eliminate unlawful conduct under the Equality Act 2010, the need to advance equality of opportunity and the need to foster good relations between persons who share a protected characteristics and those who do not (the public sector duty). Some form of equality analysis will be required which is proportionate to proposed projects and their potential impacts.

## **10 ONE TOWER HAMLETS CONSIDERATIONS**

- 10.1 The Equalities Assessment has been undertaken to identify the impact to the Council's workforce, in particular the impact on the Council's strategic aim to employ a workforce that reflects the community. Each stage of the change process will include an analysis of the equalities impact.

**11 SUSTAINABLE ACTION FOR A GREENER ENVIRONMENT**

11.1 Not applicable.

**12 RISK MANAGEMENT IMPLICATIONS**

12.1 There are significant risks related to savings programme to ensure the Council has a balanced budget. Comprehensive guidance was issued to ensure that the decision making process was fair and equitable. When developing the Employment Options Programme, managers from Internal Audit and Risk were consulted and their advice taken into account.

**13. APPENDICES**

Appendix 1 – Summary of decisions by directorate

Appendix 2 – Equality Impact Assessment

Appendix 3 – Bumped Redundancy Process

**Local Government Act, 1972 Section 100D (As amended)  
List of “Background Papers” used in the preparation of this report**

<b>Brief description of “back ground papers”</b>	<b>Name and telephone number of holder and address where open to inspection.</b>
None	Not Applicable



Appendix 1

Employment Options: Summary of Outcomes and Savings (as at 20 November 2014)

Directorate/Service	Number of Employees in Service (1)	Total EO Requests	Percentage of EO Requests in each service	People Board Outcome						Percentage of EO Requests Progressing (1, 2 & 3)	Percentage of Service with EO Requests Progressing (1, 2 & 3)	Vacant Post Deletions (£)	Estimated Net General Fund Additional Savings (£)
				Service Challenge	Additional Restructure	Progress Outside Restructure	Bumped Redundancy	Future request	Cannot be Progressed				
<b>Communities Localities and Culture</b>	<b>1182</b>	<b>170</b>	<b>14.4</b>	<b>9</b>	<b>25</b>	<b>18</b>	<b>73</b>	<b>24</b>	<b>21</b>	<b>30.6</b>	<b>4.4</b>	<b>103,700.00</b>	<b>1,410,295.87</b>
CLC Management Support	4	2	50.0		1			1		50.0	25.0		39,600.00
Culture, Learning and Leisure	274	26	9.5	1	5	8	6	2	4	53.8	5.1		330,698.95
Localities	3		0.0							0.0	0.0		
Public Realm	374	85	22.7	6	10	6	40	13	10	25.9	5.9		598,335.98
Safer Communities	459	44	9.6		6	3	20	8	7	20.5	2.0	103,700.00	421,660.94
Strategy, Resources & Olympic Impacts	68	13	19.1	2	3	1	7			46.2	8.8		20,000.00
<b>Development &amp; Renewal</b>	<b>482</b>	<b>107</b>	<b>21.9</b>	<b>31</b>	<b>30</b>	<b>3</b>	<b>10</b>	<b>33</b>		<b>59.8</b>	<b>13.1</b>		<b>550,121.70</b>
Asset Management / Corporate Programmes Capital D	109	27	24.8	26	1					100.0	24.8		36,792.00
Economic Development	56	5	8.1		4			1		80.0	6.5		39,435.70
Housing Options	135	44	32.6	4	6	1	9	24		25.0	8.1		183,107.00
Planning & Building Control	84	15	17.9		11			4		73.3	13.1		118,992.00
Resources	51	6	11.8	1	2		1	2		50.0	5.9		54,000.00
Strategy, Regeneration & Sustainability	44	8	18.2		6	2				100.0	18.2		117,795.00
Support	2	2	100.0					2		0.0	0.0		
<b>Education, Social Care &amp; Wellbeing</b>	<b>2414</b>	<b>380</b>	<b>15.7</b>	<b>98</b>	<b>41</b>	<b>1</b>	<b>65</b>	<b>89</b>	<b>86</b>	<b>36.8</b>	<b>5.8</b>		<b>901,190.57</b>
Adults Social Care Services	415	99	23.9	33	5		24	26	11	38.4	9.2		150,582.46
Children's Social Care	512	87	17.0	30	5		1	26	25	40.2	6.8		154,404.33
Commissioning and Health	67	14	20.9		2		3	9		14.3	3.0		112,927.06
Learning & Achievement	557	87	15.6	22		1	8	6	50	26.4	4.1		21,037.50
Public Health	37	22	59.5		22					100.0	59.5		263,400.04
Resources	822	67	8.2	13	7		29	21		29.9	2.4		198,839.18
<b>Law, Probity &amp; Governance</b>	<b>175</b>	<b>23</b>	<b>13.0</b>		<b>7</b>	<b>5</b>	<b>5</b>	<b>2</b>	<b>4</b>	<b>52.2</b>	<b>6.8</b>		<b>284,131.44</b>
Communications	27	5	18.5			4	1			80.0	14.8		0.00
Corporate Strategy & Equality	17	2	11.8			1		1		50.0	5.9		45,000.00
Democratic Services	58	7	12.1		6			1		85.7	10.3		164,015.97
Electoral Services	7		0.0							0.0	0.0		
Legal Services	66	9	13.6		1		4		4	11.1	1.5		5,588.00
<b>Resources</b>	<b>511</b>	<b>117</b>	<b>22.9</b>	<b>16</b>	<b>10</b>	<b>8</b>	<b>22</b>	<b>41</b>	<b>20</b>	<b>29.1</b>	<b>6.7</b>	<b>221,700.00</b>	<b>466,279.87</b>
Customer Access & ICT	268	66	24.6	5	2	3	18	26	12	15.2	3.7	154,700.00	0.00
Financial Services,Risk & Accountability	99	27	27.3	4		5	1	10	7	33.3	9.1	33,500.00	237,796.63
Human Resources & Workforce Development	132	23	17.4	7	8		3	4	1	65.2	11.4	33,500.00	133,048.85
Support	12	1	8.3					1		0.0	0.0		
<b>Grand Total</b>	<b>4764</b>	<b>797</b>	<b>16.7</b>	<b>154</b>	<b>113</b>	<b>35</b>	<b>175</b>	<b>189</b>	<b>131</b>	<b>37.9</b>	<b>6.3</b>	<b>325,400.00</b>	<b>3,612,019.44</b>

Notes: (1) Data from HR establishment download, 6 Nov 2014, excludes casuals, vacant posts, trainees and apprentices

Appendix 1

Employment Options: Analysis by Salary Bands (as at 20 November 2014)

Directorate/Service	Number of Employees in Service (1)	Total EO Requests	Number SO2 & below in the service	Number of SO2 & below requests	Number of SO2 & below requests supported	Number of PO1-PO6 in Service	Number of PO1 - PO6 requests	Number of PO1 - PO6 requests supported	Number of LPO7+ in Service	Number of LPO7 + requests	Number of LPO7+ requests supported
<b>Communities Localities and Culture</b>	<b>1182</b>	<b>170</b>	<b>793</b>	<b>95</b>	<b>15</b>	<b>356</b>	<b>66</b>	<b>29</b>	<b>33</b>	<b>9</b>	<b>8</b>
CLC Management Support	4	2			0	4	2	1			0
Culture, Learning and Leisure	274	26	204	18	10	63	8	4	7		0
Localities	3					3					
Public Realm	374	85	264	53	4	101	27	13	9	5	5
Safer Communities	459	44	287	19	1	162	22	6	10	3	2
Strategy, Resources & Olympic Impacts	68	13	38	5	0	23	7	5	7	1	1
<b>Development &amp; Renewal</b>	<b>482</b>	<b>107</b>	<b>238</b>	<b>49</b>	<b>26</b>	<b>204</b>	<b>48</b>	<b>31</b>	<b>40</b>	<b>10</b>	<b>7</b>
Asset Management / Corporate Programmes Capi	109	27	78	19	19	25	6	6	6	2	2
Economic Development	56	5	1	1	0	1	1	0			0
Housing Options	135	44	28	2	1	23	2	2	5	1	1
Planning & Building Control	84	15	92	24	4	38	17	6	5	3	1
Resources	51	6	13	1	0	62	12	9	9	2	2
Strategy, Regeneration & Sustainability	44	8	16		0	27	4	2	8	2	1
Support	2	2	10	2	2	28	6	6	6		0
<b>Education, Social Care &amp; Wellbeing</b>	<b>2414</b>	<b>380</b>	<b>1447</b>	<b>174</b>	<b>65</b>	<b>868</b>	<b>168</b>	<b>56</b>	<b>99</b>	<b>38</b>	<b>19</b>
Adults Social Care Services	415	99	236	52	22	167	39	14	12	8	2
Children's Social Care	512	87	135	23	14	354	57	18	23	7	3
Commissioning and Health	67	14	18	2	0	43	11	2	6	1	0
Learning & Achievement	557	87	317	45	20	213	37	3	27	5	0
Public Health	37	22	4	1	1	19	10	10	14	11	11
Resources	822	67	737	51	8	72	11	8	13	5	3
<b>Law, Probity &amp; Governance</b>	<b>175</b>	<b>23</b>	<b>59</b>	<b>4</b>	<b>3</b>	<b>91</b>	<b>17</b>	<b>9</b>	<b>25</b>	<b>2</b>	<b>0</b>
Communications	27	5	1		0	22	5	4	4		0
Corporate Strategy & Equality	17	2			0	14	2	1	3		0
Democratic Services	58	7	33	2	2	20	5	4	5		0
Electoral Services	7		5			1			1		
Legal Services	66	9	20	2	1	34	5	0	12	2	0
<b>Resources</b>	<b>511</b>	<b>117</b>	<b>296</b>	<b>60</b>	<b>15</b>	<b>184</b>	<b>46</b>	<b>17</b>	<b>31</b>	<b>11</b>	<b>2</b>
Customer Access & ICT	268	66	209	48	8	51	14	2	8	4	0
Financial Services,Risk & Accountability	99	27	34	5	2	52	17	5	13	5	2
Human Resources & Workforce Development	132	23	51	7	5	72	14	10	9	2	0
Support	12	1	2		0	9	1	0	1		0
<b>Grand Total</b>	<b>4764</b>	<b>797</b>	<b>2833</b>	<b>382</b>	<b>124</b>	<b>1703</b>	<b>345</b>	<b>142</b>	<b>228</b>	<b>70</b>	<b>36</b>

Notes: (1) Data from HR establishment download, 6 Nov 2014, excludes casuals, vacant posts, trainees and apprentices

# Employment Options Programme Full Equality Impact Assessment(EQIA)

## Section 1: General Information

### 1a) Area of reorganisation

Employment Options Programme which aims to inform Council wide workforce savings through voluntary redundancy, early retirement, flexible working and flexible retirement to minimise the risk of compulsory redundancies and inform workforce planning.

### 1b)Service area

All Services

### 1c) Service Head

Simon Kilbey, lead Service Head.

### 1d) Name and role of the officer/s completing the EQIA

Mark Keeble, Senior HR&WD Business Partner, Project Lead

## Section 2: Information about changes

### 2a) In brief please explain the reorganisation and the reasons for this change

On 23<sup>rd</sup> July 2014, the Council's Cabinet were informed that during the three financial years from 2011/12 to 2013/14 the Council has successfully delivered savings in the region of £25m each year to ensure it has a balanced budget. At a national level, the Government's deficit reduction policies (austerity) are set to continue for the foreseeable future. The Council's estimated savings requirement in 2015/16 and beyond, even after planned use of general reserves, is expected to be £28m for 2015/16 with further significant savings required thereafter.

Following a period for employees to submit expressions of interest, Directorate's reviewed the requests which were then subject to scrutiny and challenge by People Board who decided whether the outcome would be either:

1. In scope of Service Challenge – the process through which senior managers have put developed and forward savings options as part of the Medium Term Financial Plan;
2. Additional Restructure – situations where an opportunity to review the structure of a team was identified when considering an employee's request;
3. Progress outside Restructure – the employee's request can be accepted without the need for wider changes to a team's structure or the duties or workloads of other team members;
4. Suitable for Bumped Redundancy – situations where the needs of the service do not allow a post to be deleted but the nature of the post in terms of skills and experience required indicate it could be suitable as a redeployment opportunity for an employee at risk of compulsory redundancy with a reasonable period of time and funding provided for additional training;
5. Future request – the employee's request is for one of the two years after 1 April 2015 and is not in scope of a Service Challenge savings option; or,
6. Cannot be Progressed – the employee's post cannot be deleted without an adverse impact on service deliver or would not deliver a saving to the General Fund. The skills and experience required to carry out the duties of the post are specialist in nature and/or require specific qualifications that are not available elsewhere in the Council's workforce so are not suitable for bumped redundancy.

Comprehensive guidance was produced to support the decision making process. This set out the service focused criteria against which requests were considered. The guidance was produced following discussions with all Directorate Management Teams and was finalised following a period of consultation with Trade Unions. A total of 811 requests were received.

### **2b) What are the equality implications of your proposal?**

Employees aged 55 and over are more likely to request voluntary redundancy in order to access their pension benefits under early retirement provisions of the LGPS. The impact this could have on the workforce is considered in Section 3 below. However, because of the high number of staff aged 55 and over expressing an interest, those employees who applied are more likely to be White, Christian or Disabled because of the increased representation of these groups above this age. It should be emphasised that this is a voluntary process for staff to express an interest.

An initial equalities assessment was undertaken at the start of the Programme which included an analysis of the Council's workforce against which decisions and future changes could be benchmarked. This EQIA is the second for the programme, which analyses requests from staff and the impact of People Board decisions on the workforce. EQIAs will also be undertaken for every restructure as part of the formal consultation process with employees and trade unions, including analysis of the job matching lists.

A further EQIA will be undertaken to assess the composition of the workforce once the outcome of the consultation processes have been implemented.

For comparison, between 2010 and 2012 when 329 staff left due to redundancy during the LEAN programme, 39% were aged 55 or over compared to 24% of the workforce overall being in this age group. 7.3% had declared a disability compared to 5.4% of the workforce – the information in section 3 below shows a direct correlation between age and disability.

### Recommendation

#### 2c) What is the cumulative equality impact of your proposal?

The cumulative impact of decisions to date on Workforce to Reflect the Community Indicators is below. These figures are indicative at this time as they assume all staff who have an outcome of: 1. In scope of a service challenge restructure; 2. Additional Restructure; or, 3. Progress outside of a formal restructure leave the Council. In reality this is unlikely as not every post in scope of Service Challenge/or Additional Restructure will be deleted and only approximately 80% of staff who will go through an Additional Restructure are expected to have VR/ER agreed.

**Table 1: Current Workforce to Reflect the Community Performance Indicators and Predicted Impact of Employment Options Programme**

<b>Workforce to Reflect the Community Performance Indicator*</b>	<b>Current Performance %</b>	<b>Predicted Impact of Decisions %</b>	<b>Target %</b>
% of senior managers grade LPO7 and above that are BME	25.4	27.4	30.0
% of senior managers grade LPO7 and above that are Disabled	5.6	6.4	6.2
% of senior managers grade LPO7 and above that are Female	49.5	50.5	50.0
% of all employees that are Bangladeshi	23.3	24.5	27.0
% of all employees that are BME	54.8	56.2	49.0
% of all employees that are Disabled*	5.4	5.1	5.5

*\*Notes - the Council's workforce diversity indicators are calculated based on guidance published by the Audit Commission for Best Value Performance Indicators. Therefore, employees with multiple posts (jobs) are only counted once and excludes some temporary employees e.g. those with short contracts. Other figures quoting the size of the workforce in other documents will be higher as they are based on the number of posts. The data used to analyse the equalities impact of Employment Options in Section 3 provides a breakdown of all employees equalities monitoring responses. For disability this includes those employees who have failed to respond to the question on whether they are disabled.*

The above shows the overall impact on workforce to reflect the community indicators would be positive in 5 out of 6 areas. The reduction in the % of the workforce that is disabled is a result of 23 employees who declared a disability that could leave the Council. The reasons for this and the impact on other aspects of the council's workforce are explored in Section 3 below.

Analysis in Section 3 below has identified a potential adverse impact in terms of gender for which mitigating actions are being put in place to address any issues identified with specific Service Challenge options. It is hoped that the Council will be able to retain all staff that want to remain through a combination of redeployment, bumped redundancy and retraining. Staff that wish to move on will be offered support to help find alternative employment for which the Council will identify and work with partner organisations that can offer assistance.

### Section 3: Equality Impact Assessment

With reference to the analysis above, for each of the equality strands in the table below please record and evidence your conclusions around equality impact in relation to the savings proposal.

<p><b>Race</b></p> <p><i>Identify the effect of the policy on different racial groups.</i></p>	<p>Will the change in your policy/service have an adverse impact on specific ethnic groups? <b>None identified at this stage that cannot be justified/explained.</b></p>									
	<p>The profile of the Council's workforce at the start of the Programme is as detailed in Table 2 below. Also detailed below is a percentage breakdown of expression of interests received (% of the total number of expression of interests received).</p>									
	<p><b>Table 2: Ethnicity Profile of the Council's Workforce and Employment Options Requests (all figures %):</b></p>									
		<b>Asian %</b>	<b>Bangladeshi %</b>	<b>Black %</b>	<b>Declined to state %</b>	<b>Missing %</b>	<b>Mixed %</b>	<b>Other %</b>	<b>Somali %</b>	<b>White %</b>
	<b>Workforce (March 2014)</b>	6	22.7	18.7	0.7	4.6	2.3	1.1	1.1	42.8
<b>Employment Options Requests</b>	4.3	8.4	22.2	0.4	1.9	1.9	0.4	0.8	59.7	
<b>Difference</b>	-1.7	-14.3	3.5	-0.3	-2.7	-0.4	-0.7	-0.3	16.9	
	<p>The age profile of staff impacts significantly on the ethnicity profile at age 55 and above and this is the age at which pension benefits are released in the event of an employee being made redundant (whether voluntary or compulsory) and has resulted in 57.6% of Employment Options Requests coming from employees aged 55 and over compared to 17.6% in the workforce.</p>									
	<p>Under age 55, 26% of staff are Bangladeshi compared to 6% over age 55. The figures for Asian staff (excluding Bangladeshi) are 7.3% and 4.9% respectively whilst White staff make up 38% of the workforce under age 55 compared to 63% over age 55. There is no difference in the % of the workforce that is Black over or under 55. Initial analysis has not identified any explanation for the higher proportion of Black staff submitting requests although this EQIA will be discussed with Trade Unions and Staff Equality Forums.</p>									
	<p>The profile of the employees within each outcome is detailed in Table 3 below (% of the number of employees that received</p>									

each outcome).

**Table 3: Ethnicity Profile of the Employment Options Outcomes (all figures %):**

Employment Options Outcome	Asian %	Bangladeshi %	Black %	Declined to State %	Missing %	Mixed %	Other %	Somali %	White %
1. In scope of Service Challenge (154 employees)	4.08	7.14	25.51	1.02	3.06	3.06	0.00	1.02	55.10
2. Additional Restructure (120 employees)	6.00	6.00	11.00	1.00	4.00	1.00	1.00	0.00	70.00
3. Progress outside Restructure (43 employees)	6.82	11.36	22.73	0.00	0.00	0.00	0.00	0.00	59.09
4. Suitable for Bumped Redundancy (178 employees)	3.66	6.81	19.37	0.00	1.57	2.09	0.00	1.05	65.45
5. Future request (183 employees)	3.10	12.83	30.97	0.00	1.77	2.21	0.44	0.88	47.79
6. Cannot be Progressed (133 employees)	6.58	9.87	17.11	0.66	2.63	0.66	1.32	0.66	60.53

The representation of each ethnicity within each outcome can fluctuate although in broad terms are in line with the overall proportion of requests from each group. None of the workforce indicators that monitor ethnicity are expected to be negatively impacted by the decisions (see section 2c above).

**Disability**

*Identify the effect of the policy on different disability groups*

Will the change in your policy/service have an adverse impact on disabled people? **None identified at this stage that cannot be justified/explained.**

The profile of the Council's workforce at the start of the Programme is as detailed in Table 4 below. Also detailed below is a percentage breakdown of expression of interests received (% of the total number of expression of interests received).



**Table 4: Disability Profile of the Council's Workforce and Employment Options Requests (all figures %):**

	Yes %	No %	No Data %	Declined to State %
<b>Workforce</b>	4.3	75.9	10.5	9.3
<b>Employment Options Requests</b>	6	77.2	4.6	12.6
<b>Difference</b>	1.7	1.3	-6.9	3.3

There is proportion of disabled employees submitting a request is higher than their representation in the workforce as a whole. The figure of 4.3% is different to that reported in section 2c above. This is because the performance indicator excludes staff who have provided no data on whether they are disabled. The reason for the higher representation amongst requests is due to the 5.9% of employees in the workforce aged 55 and over who are disabled compared to 3.9% below this age.

The profile of the employees within each outcome is detailed in Table 5 below (% of the number of employees that received each outcome).

The representation of disabled staff within each outcome can fluctuate although in broad terms are in line with the overall proportion of requests from each group. The adverse impact on the workforce indicator for the % of the Council's workforce that is disabled is explained due to the age profile of employees submitting requests and the increased incidence of disability as employees get older. However, there is a positive impact on the % of senior managers that are disabled (see section 2c above). There are still 9% of the Council's workforce that have not responded to the disability question on the Council's monitoring questionnaire. This will be addressed through the next staff equality data audit. An additional questionnaire will be introduced to check the reasons why disabled staff wish to leave the organisation to ensure that work related issues are not the main driver.

**Table 5: Disability Profile of the Employment Options Outcomes (all figures %):**

Employment Options Outcome	Yes %	No %	No Data %	Declined to State %
1. In scope of Service Challenge (154 employees)	8.16	75.51	1.02	15.31
2. Additional Restructure (120 employees)	6.00	79.00	6.00	9.00
3. Progress outside Restructure (43 employees)	6.82	70.45	2.27	20.45
4. Suitable for Bumped Redundancy (178 employees)	7.33	76.96	3.66	12.04
5. Future request (183 employees)	4.42	76.99	3.10	15.49
6. Cannot be Progressed (133 employees)	6.58	78.95	1.97	12.50

<p><b>Gender</b></p> <p><i>Identify the effect of the policy on different gender groups (inc Trans)</i></p>	<p>Will the change in your policy/service have an adverse impact on men or women? <b>None identified at this stage that cannot be justified/explained.</b></p> <p>The profile of the Council’s workforce at the start of the Programme is as detailed in Table 6 below. Also detailed below is a percentage breakdown of expression of interests received (% of the total number of expression of interests received).</p> <p>The gender profile of staff does not change significantly at age 55 and the requests received are not disproportionate.</p>
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groups

**Table 6: Gender Profile of the Council's Workforce and Employment Options Requests (all figures %):**

	Female %	Male %
<b>Workforce</b>	62.2	37.8
<b>Employment Options Requests</b>	63.7	36.3
<b>Difference</b>	1.5	-1.5

The profile of the employees within each outcome is detailed in Table 7 below (% of the number of employees that received each outcome).

**Table 7: Gender Profile of the Employment Options Outcomes (all figures %):**

Employment Options Outcome	F %	M %
<b>1. In scope of Service Challenge (154 employees)</b>	<b>74.49</b>	<b>25.51</b>
<b>2. Additional Restructure (120 employees)</b>	<b>65.00</b>	<b>35.00</b>
<b>3. Progress outside Restructure (43 employees)</b>	<b>61.36</b>	<b>38.64</b>
<b>4. Suitable for Bumped Redundancy (178 employees)</b>	<b>60.21</b>	<b>39.79</b>
<b>5. Future request (183 employees)</b>	<b>65.04</b>	<b>34.96</b>
<b>6. Cannot be Progressed (133 employees)</b>	<b>59.87</b>	<b>40.13</b>

Although the representation of staff of each gender within each outcome can fluctuate and is broadly in line with the overall

proportion of requests, 75% of requests from female employees who are in scope of a service challenge. This is due to the two service challenge proposals that have the most staff in scope (Home Care and Day Nurseries) having high levels of female staff in the services (77% and 98% respectively).

There has been a meeting with Trade Unions to discuss the how the process of redeployment, bumped redundancy and retraining for staff at risk of redundancy in the Home Care can be managed proactively to avoid the need for compulsory redundancy. A similar approach will be undertaken for Day Nursery employees if there are insufficient volunteers for redundancy. It should be noted that at the time of writing there has been not Cabinet decision to progress with these Service Challenge savings options.

There is a positive impact on the % of women that are in senior manager grades at LPO7 and above (please refer to section 2c above).

**Sexual Orientation**

*Identify the effect of the policy on members of the LGB community*

Will the change in your policy/service have an adverse impact on lesbian, gay or bisexual people? **None identified at this stage that cannot be justified/explained.**

The profile of the Council’s workforce at the start of the Programme is as detailed in Table 8 below. Also detailed below is a percentage breakdown of expression of interests received (% of the total number of expression of interests received).

**Table 8: Sexual Orientation Profile of the Council’s Workforce and Employment Options Requests (all figures %):**

	Bisexual %	Gay %	Heterosexual %	Lesbian %	Decline to State %	No Data %
<b>Workforce</b>	1.1	1.4	69.5	0.8	13.1	14.1
<b>Employment Options Requests</b>	0.3	1.7	64.1	0.8	18.1	15
<b>Difference</b>	-0.8	0.3	-5.4	0	5	0.9

The age profile of staff is not significantly different at age 55 when sexual orientation is considered. There are small reductions in the numbers of staff in each category over age 55. This is due to the impact of more staff aged 55 and over Declining to State (17%) or who provided No Data (14.7). The requests from each group are therefore in line with their overall representation in the workforce.

The profile of the employees within each outcome is detailed in Table 9 below (% of the number of employees that received

each outcome).

Although the representation of staff of different sexual orientations within each outcome can fluctuate and is broadly in line with the overall proportion of requests, there are some higher %s for employees who are Bisexual or Lesbian being given an outcome of progressing outside a restructure. As only 43 employees have this outcome, 1 or 2 employees can have a significant impact on the % calculated. Given the relatively small numbers within these groups there is not believed to be a statistically significant variation. There are still 14% of the Council's workforce that have not responded to the sexual orientation question on the Council's monitoring questionnaire. This will be addressed through the next staff equality data audit.

**Table 9: Sexual Orientation Profile of the Employment Options Outcomes (all figures %):**

Employment Options Outcome	Bisexual %	Gay %	Heterosexual %	Lesbian %	Decline to State	No Data %
1. In scope of Service Challenge (154 employees)	0.00	1.02	67.35	2.04	16.33	13.27
2. Additional Restructure (120 employees)	1.00	2.00	63.00	1.00	17.00	16.00
3. Progress outside Restructure (43 employees)	2.27	0.00	56.82	4.55	13.64	22.73
4. Suitable for Bumped Redundancy (178 employees)	0.00	1.57	61.78	0.52	17.28	18.32
5. Future request (183 employees)	0.00	2.21	61.50	0.44	22.12	13.72
6. Cannot be Progressed (133 employees)	0.66	1.97	71.71	0.00	16.45	9.21

<b>Religion</b>	Will the change in your policy/service have an adverse impact on people who practice a religion or belief? <b>None identified at</b>
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**and Belief**

*Identify the effect of the policy on different religious and faith groups*

**this stage that cannot be justified/explained.**

The profile of the Council's workforce at the start of the Programme is as detailed in Table 10 below. Also detailed below is a percentage breakdown of expression of interests received (% of the total number of expression of interests received).

The age profile of staff varies significantly at age 55 for Christian and Muslim staff. Under age 55, 30% of staff are Christian compared to 44% over age 55. Muslim staff make up over 26% of the workforce under age 55 compared to 7% over age 55. This explains the higher proportion of Christians and the lower number of Muslim staff amongst Requests.

**Table 10: Religion or Belief Profile of the Council's Workforce and Employment Options Requests (all figures %):**

	Buddhist %	Christian %	Hindu %	Jewish %	Muslim %	No Religion %	Other %	Sikh %	Decline to State %	No Data %
<b>Workforce</b>	0.7	32.9	1.5	0.6	22.9	14.2	4.4	0.6	8.3	13.9
<b>Employment Options Requests</b>	0.7	44.3	1	0.5	8.9	13.3	5.4	0.7	10.3	15
<b>Difference</b>	0	11.4	-0.5	-0.1	-14	-0.9	1	0.1	2	1.1

The profile of the employees within each outcome is detailed in Table 11 below (% of the number of employees that received each outcome).

**Table 11: Religion or Belief Profile of the Employment Options Outcomes (all figures %):**

Employment Options Outcome	Buddhist %	Christian %	Hindu %	Jewish %	Muslim %	No Religion %	Other %	Sikh %	Decline to State %	No Data %
<b>1. In scope of Service Challenge (154 employees)</b>	2.04	38.78	1.02	0.00	9.18	14.29	5.10	1.02	13.27	15.31
<b>2. Additional Restructure (120 employees)</b>	1.00	41.00	1.00	2.00	7.00	17.00	6.00	1.00	9.00	15.00
<b>3. Progress outside Restructure (43 employees)</b>	0.00	52.27	2.27	0.00	13.64	6.82	2.27	0.00	4.55	18.18
<b>4. Suitable for Bumped</b>	0.52	49.21	1.05	0.00	5.24	9.95	3.14	0.52	11.52	18.85

	<b>Redundancy (178 employees)</b>										
	<b>5. Future request (183 employees)</b>	<b>0.44</b>	<b>42.48</b>	<b>0.88</b>	<b>0.00</b>	<b>12.83</b>	<b>11.95</b>	<b>6.19</b>	<b>0.88</b>	<b>10.62</b>	<b>13.72</b>
	<b>6. Cannot be Progressed (133 employees)</b>	<b>0.00</b>	<b>40.79</b>	<b>1.32</b>	<b>1.32</b>	<b>12.50</b>	<b>16.45</b>	<b>5.92</b>	<b>1.32</b>	<b>9.87</b>	<b>10.53</b>
<p>The representation of staff from different religions/belief within each outcome can fluctuate although in broad terms are in line with the overall proportion of requests from each group. There are still 13% of the Council's workforce that have not responded to the religion or belief question on the Council's monitoring questionnaire. This will be addressed through the next staff equality data audit.</p>											

<p><b>Age</b></p> <p><i>Identify the effect of the policy on different age groups using the prompts above</i></p>	<p>Will the change in your policy/service have an adverse impact on specific age groups? <b>None identified at this stage that cannot be justified/explained.</b></p>																																																	
	<p>The profile of the Council's workforce at the start of the Programme is as detailed in Table 12 below. Also detailed below is a percentage breakdown of expression of interests received ( % of the total number of expression of interests received).</p>																																																	
	<p><b>Table 12: Age Profile of the Council's Workforce and Employment Options Requests (all figures %):</b></p>																																																	
	<table border="1"> <thead> <tr> <th>Age Band</th> <th>&lt;=20 %</th> <th>21 – 24 %</th> <th>25 – 34 %</th> <th>35 –44 %</th> <th>45 – 49 %</th> <th>50 – 54 %</th> <th>55 – 59 %</th> <th>60 – 64 %</th> <th>65+ %</th> </tr> </thead> <tbody> <tr> <td><b>Workforce</b></td> <td>0.7</td> <td>3.7</td> <td>26</td> <td>24.2</td> <td>13.7</td> <td>14.1</td> <td>11.1</td> <td>4.9</td> <td>1.6</td> </tr> <tr> <td><b>Employment Options Requests</b></td> <td>0</td> <td>0</td> <td>4.1</td> <td>12.1</td> <td>9.7</td> <td>16.5</td> <td>31.6</td> <td>18.1</td> <td>7.9</td> </tr> <tr> <td><b>Difference</b></td> <td>-0.7</td> <td>-3.7</td> <td>-21.9</td> <td>-12.1</td> <td>-4</td> <td>2.4</td> <td>20.5</td> <td>13.2</td> <td>6.3</td> </tr> </tbody> </table>	Age Band	<=20 %	21 – 24 %	25 – 34 %	35 –44 %	45 – 49 %	50 – 54 %	55 – 59 %	60 – 64 %	65+ %	<b>Workforce</b>	0.7	3.7	26	24.2	13.7	14.1	11.1	4.9	1.6	<b>Employment Options Requests</b>	0	0	4.1	12.1	9.7	16.5	31.6	18.1	7.9	<b>Difference</b>	-0.7	-3.7	-21.9	-12.1	-4	2.4	20.5	13.2	6.3									
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<p>In general terms, requesting VR/ER is a more attractive option for employees aged over 55. This explains why 57.6% of staff submitting requests are aged 55 and over compared to 17.6% in the workforce as a whole. Similarly, flexible retirement can only be requested by employees aged over 55 – the minimum age at which retirement benefits can be paid by law. Age is not expected to be a specific factor in relation of Flexible Working requests. The age in relation to other protected characteristics is explored in above in other parts of Section 3</p>																																																		
<p>The profile of the employees within each outcome is detailed in Table 13 below (% of the number of employees that received</p>																																																		

each outcome).

The representation of staff from different age groups within each outcome can fluctuate although in broad terms are in line with the overall proportion of requests from each group.

**Table 13: Age Profile of the Employment Options Outcomes (all figures %):**

<b>Employment Options Outcome</b>	<b>25 – 34 %</b>	<b>35 – 44 %</b>	<b>45 – 49 %</b>	<b>50 – 54 %</b>	<b>55 – 59 %</b>	<b>60 – 64 %</b>	<b>65+ %</b>
<b>1. In scope of Service Challenge (154 employees)</b>	<b>3.06</b>	<b>14.29</b>	<b>6.12</b>	<b>15.31</b>	<b>37.76</b>	<b>16.33</b>	<b>7.14</b>
<b>2. Additional Restructure (120 employees)</b>	<b>6.00</b>	<b>11.00</b>	<b>10.00</b>	<b>12.00</b>	<b>33.00</b>	<b>21.00</b>	<b>7.00</b>
<b>3. Progress outside Restructure (43 employees)</b>	<b>6.82</b>	<b>9.09</b>	<b>9.09</b>	<b>11.36</b>	<b>25.00</b>	<b>27.27</b>	<b>11.36</b>
<b>4. Suitable for Bumped Redundancy (178 employees)</b>	<b>3.14</b>	<b>15.18</b>	<b>6.28</b>	<b>10.99</b>	<b>32.46</b>	<b>21.47</b>	<b>10.47</b>
<b>5. Future request (183 employees)</b>	<b>3.10</b>	<b>11.50</b>	<b>11.95</b>	<b>30.53</b>	<b>24.78</b>	<b>11.06</b>	<b>7.08</b>
<b>6. Cannot be Progressed (133 employees)</b>	<b>6.58</b>	<b>13.16</b>	<b>12.50</b>	<b>9.87</b>	<b>32.89</b>	<b>18.42</b>	<b>6.58</b>



<p><b>Socio-economic</b></p> <p><i>Identify the effect of the policy in relation to socio-economic inequalities</i></p>	<p>Will the change in your policy/service have an adverse impact on people with low incomes? <b>Inconclusive at this stage although there are potential benefits for some employees</b></p> <p>Please describe the analysis and interpretation of evidence to support your conclusion.</p> <p>The purpose of the proposed approach is to avoid compulsory redundancies which could have a greater impact on employees on low incomes. This includes using bumped redundancies in addition to usual redeployment opportunities. The redeployment process also allows employees to be considered for posts up to two grades higher than their current grade so there is potential for some staff to achieve an increase in grade. Any that are redeployed into a lower grade receive pay protection for two years.</p>
<p><b>Other</b></p> <p><i>Identify if there are groups, other than those already considered, that may be adversely affected by the policy?</i></p>	<p>Will the change in your policy/service have an adverse impact on any other people (e.g. carers)? <b>No</b></p> <p>Please describe the analysis and interpretation of evidence to support your conclusion.</p> <p>It is not expected that any other groups will be adversely impacted. The Employment Options Programme encourages employees and managers to explore flexible working options which can be beneficial for working parents, those with caring responsibilities or employees seeking to improve their work/life balance.</p>

<p><b>Staff</b></p> <p><i>Identify if there are any staff groups that may be adversely affected by the policy?</i></p>	<p>Will the change in your policy/service have an adverse impact on staff? <b>This has been analysed above.</b></p> <p>The Employment Options Programme is focused on achieving reductions in the size of the workforce for the Council to deliver the Medium Term Financial Plan whilst minimising the risk of compulsory redundancy. There is a risk that some staff will dispute the outcome of their request. A review process involving Trade Unions has been included for this purpose. This will require careful management to ensure the bumped redundancy process is transparent and equitable. A meeting has already taken place with Trade Unions to discuss the content of guidance for managers which will be issued in due course.</p>
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**Section 4: Equality Impact Assessment Action Plan**

Please list in the table below any adverse impact identified and, where appropriate, steps that could be taken to mitigate this impact.

If you consider it likely that your proposal will have an adverse impact on a particular group (s) and you cannot identify steps which would mitigate or reduce this impact, you will need to demonstrate that you have considered at least one alternative way of delivering the change which has less of an adverse impact.

Adverse impact	Please describe the actions that will be taken to mitigate this impact
Outcomes of job matching (selection for redundancy) and acceptance of voluntary redundancy requests following restructures.	EAs of each staffing restructure ahead of formal consultation. Formal consultation with staff and trade unions will be undertaken ahead of decisions to implement new structures, appoint staff to new roles and make redundancy decisions

Change in composition of the Council's workforce.	Produce Council wide impact of individual restructures and exits through VR/ER and flexible retirement.
Guidance on bumped redundancy process	Produce guidance to enable process to be managed effectively and consistently. Including advice on reasonable training opportunities to be provided to enable staff to obtain qualifications that are mandatory for some posts.
Staff Equality Audit	Next scheduled process to focus on increasing responses to disability, religion or belief and sexual orientation monitoring questions. Also follow up questionnaire for requests from disabled staff
Monitor equalities impact of individual savings options on employees and identify act to address any adverse impact.	Each formal consultation process with employees and Trade Unions has an EQIA produced. Where these identify adverse impact in respect of the risk of compulsory redundancy on specific groups of staff e.g. female or BME employees, actions will be identified to mitigate and remove the risk if all possible.
Share findings of EQIA	Provide copy to Trade Unions to inform on-going consultation process. Provide copy with Staff Equality Forums for discussion.

If an adverse impact cannot be mitigated please describe an alternative option, its costs and the equality impact.

## Section 5: Future Review and Monitoring

Please explain how and when the actual equality impact of these changes will be reviewed and monitored.

Equalities impacts will be monitored and reviewed prior to the ratification of all decisions. An evaluation of the entire programme will be undertaken once completed. This is expected to be July 2015 once the restructures required to deliver the Council's savings targets have been implemented.

### APPENDIX A: Equality Impact Assessment Test of Relevance

TRIGGER QUESTIONS	YES / NO	IF YES PLEASE BRIEFLY EXPLAIN.....
Does the change reduce resources available to address inequality?	NO	
<b>CHANGES TO A SERVICE</b>		
Does the change alter access to the service?	NO	Where additional restructures have been identified they will be subject to a separate impact assessment.
Does the change involve revenue raising?	NO	
Does the change alter who is eligible for the service?	NO	
Does the change involve a reduction or removal of income transfers to service users?	NO	

<b>Does the change involve a contracting out of a service currently provided in house?</b>	<b>NO</b>	
<b>CHANGES TO STAFFING</b>		
<b>Does the change involve a reduction in staff?</b>	<b>YES</b>	Staffing levels have to be reduced in order for the Council to operate within a balanced budget as set out in the Medium Term Financial Plan approved by Cabinet.
<b>Does the change involve a redesign of the roles of staff?</b>	<b>YES</b>	Any substantial changes to job descriptions and structures will be progressed through the Handling Organisational Change Procedure and subject to EAs as part of that process. Only minor changes to roles and structures will take place outside the formal consultation process. Trade Unions will be involved in reviewing proposals for staff to leave through this route.

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## **Appendix 3: Bumped Redundancy Process**

### **Priorities**

Initially, staff at risk of compulsory redundancy will be matched to any vacant posts within the Council by the People Resourcing Team(PRT) as per the current redeployment process. Only if there are none suitable will the bumping list will be checked. As and when new vacancies become available they will be considered for those on the redeployment list by PRT.

All employees on the redeployment register will be given equal consideration. Apprentices will continue to be considered for vacancies once employees on the redeployment register have been considered.

### **Matching Process**

Approval will not be given for requests to leave the organisation through bumped redundancy until an employee has accepted the offer to be redeployed into the post and the trial period has started. Redeployment records show there is a very low risk of trial periods not being successful.

Where there is a risk of compulsory redundancies, the potential for bumped redundancies being available should be explored during the formal consultation process with employees and their trade union representatives.

The normal redeployment process will be followed for staff looking to be appointed to a post held by an employee in the bumping pool i.e. opportunities will be considered 2 grades up or down from the redeployee's current grade and with pay protection given up to 2 years for a maximum of 2 grades.

For the current change process only, there will also be consideration given to whether an employee's current job is so similar to a vacancy or bumped redundancy opportunity that it should be treated as an assimilation e.g. direct (or competitive, if more than 1 person is identified as direct assimilation for the bumping opportunity). This will reduce the number of interviews required which benefits both employees and managers. If job descriptions and grade are very similar, PRT should ask the relevant BP to carry out an assessment with a TU rep. If there is a disagreement that cannot be resolved, People Board Operations will be asked to reach a decision.

If assimilation does not apply, the usual redeployment process will be followed and managers will be offered the opportunity to interview potential matches for the position. When a redeployee is offered a post on the bumping list, managers should consider whether a period of shadowing would be appropriate ahead of the formal trial period in order for both themselves and the employee to make a decision about the suitability of the role as a redeployment option. A period of shadowing as part of the trial period can also help train the redeployee prior to the existing employee leaving the organisation. HR Business Partners will provide advice and guidance to support the coordination of this process. If shadowing is taking place in advance of a trial period in order to help a redeployee and manager decide whether to proceed,

the employee waiting for be bumped will not be issued notice of redundancy until the official trial period has started.

In situations where more employees doing the same job are waiting for bumping and there are insufficient redeployees offered jobs to bump them all, managers must first make an assessment using the criteria set out in the Employment Options guidance for selecting from multiple requests to decide who is to be offered redundancy. This is as follows:

1. The employee(s) to be retained should demonstrate the best fit between the requirements of the posts that remain and the suitability of the employee to undertake them e.g. their skills and knowledge; or,
2. If the above does not enable a decision to be made, the cost of each request may be considered. As this may result in preference being given to allow employees with less service to leave the organisation, cost must not be the only criteria taken into consideration as it risks discriminating against some groups of employees; or,
3. Only if a decision cannot be made on any other basis, attendance records for the period August 2013 to July 2014 may be considered. Individual circumstances should be taken into account, including whether attendance records are affected by a disability or serious illness.

If the manager is not able to decide using this criteria then the manager should ask the employees for their preferences. If the staff themselves are not able to reach an agreement as to who should leave first then the manager may take an employee's personal circumstances into account to decide who can be released. There can be no guarantee of future matches being identified for the remaining employee(s) in the group.

## **Training**

Where there is a gap against the requirement for the job which is due to a qualification or training need, reasonable training costs will be met. Corporate funding is available and can be requested if this ensures that a compulsory redundancy will be avoided. Costs should not be excessive, the necessary training/qualification must be completed within 12 to 18 months and the qualification must be a requirement to carry out the job contained within the person specification. This timescale is a general guide, each request will need to be supported by a sound business case, including financial and service implications and/or benefits. Requests should be submitted to the Chair of People Board Operations Group for approval if the Chair of the Directorate People Panel/Efficiency Panel is in agreement.

Failure to obtain a required qualification will not place an employee in a redundancy situation. It will be managed as a capability matter under the appropriate HR procedure. Support will be provided for the employee to retake an assessment.



# Agenda Item 3.2

<b>Committee/Meeting:</b> HR Committee	<b>Date:</b> 11 December 2014	<b>Classification:</b> Unrestricted	<b>Report No:</b> 3.2
<b>Report of:</b>  Head of Paid Service and Corporate Director of Education, Social Care & Wellbeing  <b>Originating officer(s)</b> Stephen Halsey, Head of Paid Service; Robert McCulloch Graham Corporate Director ESCW.		<b>Title:</b>  <b>Education, Social Care and Wellbeing organisational structure</b>  <b>Wards Affected: All</b>	

## **REASONS FOR URGENCY**

The report was not prepared in time for publication five clear days in advance of the meeting. However, it seeks input from the Committee on a key aspect of the Council's organisation and it may be considered that this is a matter of priority which should not wait until after the next meeting of the Committee.

### **1. SUMMARY**

- 1.1 This report provides members with an update on the review of service structure for the Education Social Care and Wellbeing Directorate..

### **2. The Committee is recommend to**

- 2.1 Support the review of options available for service structure to meet the statutory duties across Public Health, Adult Social Care, Children's Social Care and Education.
- 2.2 Note that the Corporate Director ESCW and Head of Paid Service will present a further report to the next meeting of the HR Committee following appropriate advice on the options.

### **3 ALTERNATIVE OPTIONS**

The Council might reorganise without first conducting or completing the review. However the Council has earned a reputation as being a leader within these services through a policy of continual improvement. Taking an opportunity to reflect on the appropriateness or otherwise of the service delivery model would be consistent with this espoused policy.

#### **4. BACKGROUND**

- 4.1 The Councils' Cabinet agreed in March 2011 to integrate the Children, Schools and Families and Adults Health and Wellbeing Directorates. The new Directorate of ESCW was established in January 2013. There were clear efficiency and operational drivers for the Directorate merger at that time, however over the course of the last 2 years there have been significant changes in national and local priorities and focus which have led the Head of Paid Service and the Corporate Director ESCW to initiate a review of current arrangements to ensure they remain fit for purpose.
- 4.2 The most recent HR Committee reviewed a number of issues in relation to the Council's organisational structure and agreed that officers progress a review of structural options in relation to ESCW Directorate.

#### **5. STRUCTURAL REVIEW**

- 5.1 A detailed review and analysis by the Head of Paid Service and Corporate Director of ESCW, particularly in light of national concerns regarding safeguarding and the need for close management control and accountability, is now underway.
- 5.2 The review is considering the Council's clear strategic priorities and statutory obligations including continuing to drive up educational attainment in the boroughs' schools, the maintenance of effective safeguarding operations in an increasingly difficult social and complex operational environment, and the need to provide good health, integrated care and support for our most vulnerable residents.
- 5.3 Some of the key strategic and service challenges which the ESCW services will face in the near future include:
- Implications for the Council's approach to child safeguarding from recommendations from the Jay inquiry into Rotherham child sexual exploitation and any recommendations from the independent inquiry set up by the Government under Lord Mayor Fiona Woolf
  - The introduction of the Care Act bringing fundamental reforms to local authority's support and care responsibilities in relation to adults
  - The national drive to improve integration of health and adult social care and the Better Care Fund and a need for adults' services to work more closely with health colleagues in joint commissioning and joint re-design of services. This also brings opportunities for us to draw more funding into the Council for social care support but only if we pay careful attention to how we manage our relationship with health commissioners and providers;
  - Significant changes to assessing children's attainment at Key Stage 2, GCSE and post 16 which require close working with schools to ensure that the strong progress we have made in children's attainment in Tower Hamlets is not undermined;
  - The extension of the Government's Troubled Families programme with a focus on 'managing families more proactively', earlier intervention including

with under 5s, including children at risk of needing social care, and a new recognition of the importance of improving poor health as part of the programme; and

- The transfer of responsibility for commissioning health visiting and other children's public health services to local authorities from 2015.

5.4 Whilst the outcome of the election in 2015 may bring some changes to the framework for local government and related functions, there is no evidence that there are likely to be major changes in terms of ongoing focus on child safeguarding, further integration of health and social care and support for the most vulnerable.

5.5 The review is examining 3 major drivers which have considerable significance for the Councils strategic outcomes and the safety of local residents – and where the focus has changed considerably in the 3-4 years since decisions were taken to merge the Children's and Adults Health and Well Being Directorates, including:

- The need for renewed focus on safeguarding following recommendations from the Rotherham Inquiry and any emerging from the Woolf inquiry
- The need for close work with schools to ensure that changes in national assessment do not undermine our strong track record in improving attainment
- The need for close work with health colleagues to ensure that we maximise opportunities and minimise risks from greater integration of health and adult social care and the implementation of the Care Act.

5.6 At the same time, the exigencies of austerity continue to impact. The merged Directorate has a combined budget of approaching £200 million, excluding schools funding, over 60% of the overall Council budget and employs over half of the Council's staff. At a time when the Council faces ongoing Medium Term Financial Plan savings requirements, there is the need to have the strongest possible controls in place around expenditure and staffing levels in the Council's most resource intensive service areas.

5.7 The review will examine closely the benefits of one directorate where shared back office functions have improved efficiency and driven down costs, where expertise in safeguarding within children's services are now being implemented within adults. There is a joint Principle Social Worker for both Adults and Children's Services and both independent Safeguarding Boards for adults and children are now supported by one administrative team. November's Safeguarding Month promoted "Safeguarding as Everyone's Business" with over 50 shared events.

The review must however also realistically balance these positives against the new pressures and drivers facing this work as outlined in 5.5. The final report will provide a clear and expertly informed judgement on current arrangements compared with several other options being utilised in other London Boroughs.

5.9 Since the last meeting of the committee a great deal of work has been undertaken to access expert advice to support the review to ensure members

will be fully informed so that any resulting decisions can be undertaken confidently.

Proposals will need to ensure that the strong working relationships between those working with adults and with children which have been developed are maintained so that we continue to derive the benefits from close working around the transition of young people to adulthood and the focus around families and parents as well as children.

## **6. COMMENTS OF THE CHIEF FINANCIAL OFFICER**

- 6.1 Committee is asked to agree to a review of the structure required to deliver Public Health, Adult Social Care, Children's Social Care and Education, and receive at the next HR Committee a report on the proposed options. That report will assess the financial implications of any such decision.

## **7. LEGAL COMMENTS**

- 7.1 The Local Government Act 1972 requires that a local authority must appoint such staff as it considers necessary for the proper discharge of its functions. Staff hold office on such terms as the authority thinks fit, including terms of remuneration.
- 7.2 Most functions relating to the appointment of staff are non-executive matters. The Head of the Paid Service has overall responsibility for the organisation of the officer structure with further delegated power to Directors in respect of job descriptions, creating and deleting posts and changes to the structure and reporting lines.
- 7.3 In the review of staffing structures and service delivery arrangements, the Council must have regard to its duties under the Equality Act 2010 to have due regard to the need to avoid unlawful discrimination.

## **8. ONE TOWER HAMLETS CONSIDERATIONS**

- 8.1 The review of the structure of the ESCW Directorate will ensure that we continue to have the appropriate focus on the needs of both vulnerable children and adults requiring care and support, ensuring that we pay due regard to their needs and meet our equality and other statutory duties.
- 8.2 All organisational change proposals consequent upon this report will be handled in line with the Council's Handling Organisational Change procedure which includes undertaking an Equality Assessment to determine any impact on groups with protected equality characteristics.

9. **APPENDICES**

Appendix 1 – Current structure for ESCW Directorate

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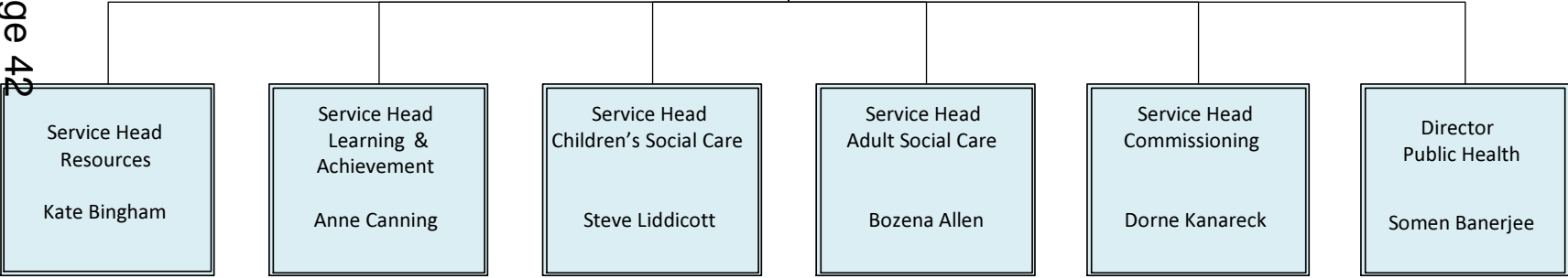
**Local Government Act, 1972 Section 100D (As amended)**  
**List of “Background Papers” used in the preparation of this report**

Human Resources Committee report and minutes – 22 October 2014

Current structure for  
ESCW

Corporate Director  
Education Social Care  
and Wellbeing

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# Agenda Item 7.1

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# Agenda Item 7.2

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