

# Management of Change Guide



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## Contents

1	INTRODUCTION .....	6
1.1	Purpose .....	6
1.2	Legal Basis.....	6
1.3	Implementation Principles .....	7
1.4	Glossary of Key Terms .....	7
1.5	Organisation Design.....	7
1.6	Business Case Review and Approval .....	7
2	EMPLOYMENT FRAMEWORKS .....	8
3	OVERALL PEOPLE OBJECTIVES OF THE MANAGEMENT OF CHANGE PROCESS.....	8
4	MANAGEMENT OF CHANGE- PEOPLE PROCESSES.....	8
4.1	Our Commitment to Consult.....	8
4.1.2	Consultation Planning.....	9
	Job Evaluation .....	9
	Under Review Status .....	10
4.2	Formal Collective Redundancy Consultation.....	10
4.3	Collective Consultation with Affected Staff.....	11
4.4	Group Announcement to Affected Staff Following Consultation .....	11
4.5	Implementation .....	11
4.6	Appointments to Posts in a New Structure.....	12
4.7	Role Assessments and Outcomes .....	13
4.7.1	Suitable Alternative Posts .....	13
4.7.2	Salary Spinal Column Point following Redeployment.....	14
4.7.3	Relocation of an Activity .....	14
4.7.4	Appeal against outcome decision.....	15
4.7.5	Voluntary Processes .....	15
	Voluntary Redeployment.....	15
	Voluntary Redundancy.....	16
4.7.6	Selection / De-selection Processes.....	17
4.8	Order of Eligibility for Posts.....	17
4.9	Individual Consultation .....	18
4.10	Contractual Variations.....	19
4.11	Redundancy.....	19
4.11.1	Redundancy Notice Period .....	20
4.11.2	Redundancy Terms .....	20
4.11.3	Redundancy Appeals .....	20

4.11.4 Outplacement Support.....	20
4.12 Redeployment following closed pool processes .....	21
4.12.1 Pay Protection .....	21
4.12.2 Maternity Leave – Pay Protection.....	22
4.12.3 Trial Periods .....	23
4.13 Relocation .....	23
4.14 Excess Travel.....	24
4.15 Dual Site Working .....	24
4.16 Special Circumstances .....	25
4.16.1 Absent Police Staff .....	25
4.16.2 Flexible Working .....	25
4.16.3 Extended Leave Breaks.....	25
4.16.4 Supervision of Police Staff 'At Risk' .....	25
4.16.5 Seconded Staff and Temporary Appointments .....	26
Staff who hold a substantive post following a restructure .....	26
Staff who no longer hold a substantive post following a restructure.....	26
Extension of current substantive Role .....	26
4.17 Recruitment during Organisational Change.....	26
APPENDIX A: GLOSSARY OF KEY TERMS .....	28
APPENDIX B: ORGANISATION DESIGN PRINCIPLES .....	31
APPENDIX C - POLICE OFFICER ALLIANCE POLICIES, PROCESSES AND GUIDANCE .....	33
1. Alliance Postings.....	33
2. Workforce Planning.....	35
3. Alliance Implementation Process .....	36
4. Police Officer Management of Change Process .....	36
4.1 Consultation.....	36
4.2 Formal Collective Consultation .....	37
4.3 Collective Consultation with Affected Officers .....	37
4.4 Group Announcement to Affected Officers Following Consultation.....	37
4.5 Selection of officers through implementation of a Strategic Alliance business case.	38
4.6 Individual Consultation.....	39
4.7 Special Circumstances.....	39
5. Immediate proposed changes to the Forces' Officer posting, selection and policies and procedures (not directly connected to an Alliance restructure).....	40
5.1 Officer Selection .....	40
5.2 Postings, relocation and excess travel.....	44

5.3 Promotion Boards ..... 44

5.4 Transferees – officers that apply for a role/promotion in a Force that is different than their appointing Force ..... 45

5.5 Traditional Secondments – Officers that apply for temporary roles or temporary promotion in a Force that is different than their appointing Force..... 46

APPENDIX D- ALLIANCE POLICE OFFICER SELECTION PROCESS..... 47

APPENDIX E - STRATEGIC ALLIANCE CHANGE PROGRAMME DEVON AND CORNWALL AND DORSET POLICE..... 50

    BACKGROUND ..... 50

    ALLIANCE EMPLOYMENT MODEL ..... 51

    TUPE..... 51

    JOB EVALUATION..... 52

    STRATEGIC ALLIANCE CHANGE ROADMAP ..... 53

APPENDIX F – BUSINESS AS USUAL CHANGE - DEVON & CORNWALL AND DORSET POLICE..... 54

    Background ..... 54

    Governance ..... 54

    Job Evaluation ..... 55

APPENDIX G– REGIONAL COLLABORATION..... 56

    BACKGROUND ..... 56

    ROCU ..... 56

    Regional Forensics..... 57

    Special Branch ..... 57

    REGIONAL EMPLOYMENT MODEL ..... 57

    JOB EVALUATION..... 58

    RECRUITMENT..... 58

APPENDIX H- CHANGE ROADMAP ..... 59

## 1 INTRODUCTION

### 1.1 Purpose

This guide details the agreed policies and processes that will generally be used to implement the people aspects of all organisational change for police staff employed by Devon & Cornwall Police and Dorset Police<sup>1</sup>. Key variations to the content of this document which are agreed as part of a specific change will be stipulated in an appendix and attached to this document whether it is at a Force, Alliance or Regional level.

For change processes involving officers, the stipulations as laid out in Police Regulations will be followed. However, where relevant, additional guidance/information will be provided and attached to this guide in the relevant appendix.

There has been consultation with recognised unions and staff associations on the principles, policies and processes outlined in this guide.

HR specialists based across both Forces are available to support change processes. They will work with the relevant stakeholders from the development of a business case through to any consultation process and final implementation. The appropriate HR Team will be able to provide further advice and information on the legal framework and relevant people management processes to be used.

### 1.2 Legal Basis

The Management of Change Guide and associated procedures support legislation and guidelines contained within (but not limited to) the:

- Employment Rights Act 1996
- Data Protection Act 1998 (as amended).
- Police Regulations 2003 (as amended)
- Equality Act 2010 / Public Sector Equality Duty
- Home Office Circulars
- The Fixed-term Employees (Prevention of Less Favourable Treatment) Regulations 2002
- The Transfer of Undertakings (Protection of Employment) Regulations 2006

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<sup>1</sup> This guide is intended to provide an overview and guidance of the processes and procedures used in all organisational change processes and may be adjusted to meet business needs or legal parameters for particular circumstances. Any such adjustment will be subject to consultation with trade unions and staff associations as appropriate.

### **1.3 Implementation Principles**

Both forces are committed to being a 'lead employer' in policing and recognise that change can be unsettling for staff. Where appropriate we will seek to provide choices for staff when taking forward change and take reasonable steps to protect individuals from compulsory redundancy.

An example of our standard 'change roadmap' is provided as Appendix H.

Depending on the nature of the change programme the standard 'change roadmap' may be varied and in some cases a new specific set of principles will be defined that will alter the change process or elements of it.

### **1.4 Glossary of Key Terms**

It is essential to achieve a common understanding of key terms used in implementing organisational change, particularly as we cannot rely on the fact that the two Forces have been aligned with terminology in the past.

The glossary is included as Appendix A.

### **1.5 Organisation Design**

A set of organisational design principles, detailed in Appendix B, have been approved for use in the development of change proposals. Stakeholders are required to demonstrate adherence to these principles to ensure that proposals for change fit with the organisational change objectives. HR Specialists are expected to work with relevant stakeholders to ensure that the organisation design is efficient, effective and aligned with the agreed principles.

### **1.6 Business Case Review and Approval**

Proposed changes to organisational design and structures are normally submitted in the form of a business case for review and approval by the appropriate governance body. Following approval the design will proceed to implementation planning then to collective consultation.

Following consultation, consideration will be given to any suggested changes, prior to the case proceeding to implementation.

## 2 EMPLOYMENT FRAMEWORKS

Business cases for change will on occasion include recommendations and rationales for new management and employment structures considered most appropriate for that particular change proposal. Where a new employment framework is agreed for a particular change programme, it will be outlined in the relevant appendix attached to this policy and updated as appropriate.

## 3 OVERALL PEOPLE OBJECTIVES OF THE MANAGEMENT OF CHANGE PROCESS

The objectives of the change process include:

- Complying with relevant legislation including the requirement for collective and individual consultation with affected staff;
- Consulting with representative bodies and affected staff and stakeholders;
- Where relevant protecting the employment of people by appointing them to appropriate jobs in the new structure;
- Where possible, minimising permanent recruitment in areas that are likely to offer suitable opportunities for redeployment.
- Minimising compulsory redundancies.
- Eliminating uncertainty for staff;
- Promoting priority treatment for staff who are genuinely displaced;
- Avoiding placing staff at risk too early, which would lead to 'priority treatment' becoming meaningless due to the number of people in the same situation;
- Avoid placing staff at risk too late which would lead to insufficient time being available to explore redeployment opportunities;
- Allowing for natural movement and progression, but only as a secondary consideration to avoiding compulsory redundancies;
- Implementing change efficiently and effectively

An Alliance HR Change SharePoint site exists which provides additional supporting information in relation to all aspects of Management of Change processes and procedures as well as FAQs.

## 4 MANAGEMENT OF CHANGE- PEOPLE PROCESSES

### 4.1 Our Commitment to Consult

Aside from a legal obligation to consult in specific circumstances, it is good practice to involve staff, officers and their representatives in discussing proposed changes. Effective and meaningful consultation enables better understanding and discussions, improves motivation and engagement, builds trust and co-operation and contributes to staff wellbeing. It can also generate ideas and alternatives not previously thought of.



For these reasons, we aim to consult with unions and staff associations on relevant change programmes even where we have no statutory requirement to do so.

- **Informal** consultation will take place during the development of business cases with relevant staff representative bodies (the recognised trade unions for police staff; the Police Federation and the Superintendents' Association for police officers)
- **Formal** collective consultation will take place if collective redundancies are proposed and/or if the transfer of staff under TUPE regulations is planned and we will comply with statutory requirements as laid out in legislation.

There is no need for the parties to reach agreement as long as there has been genuine consultation with a view to reaching agreement.

In the case of a change that includes a TUPE transfer process, no restructuring will take place until the relevant TUPE transfer has been completed. However, the consultation process regarding any future proposed changes may commence prior to the TUPE transfer.

#### 4.1.2 Consultation Planning

Prior to commencing formal consultation there are some processes which may need to be considered dependent on the nature of the change programme to ensure consultation is meaningful and provides the necessary information.

##### Job Evaluation

Completed Job Evaluation documents may be required for roles that form part of a proposed structural change. This ensures any new roles are graded and costed accurately, ensures structures fit the agreed principles of organisation design (Appendix B) and supports immediate and future vacancy management.

Change initiatives may require evaluation under some or all of the relevant job evaluation systems employed by the organisations that form part of the proposed change. The correct procedure to follow will be determined and advised as part of any business case planning.

The appropriate stakeholders will liaise with the relevant JE experts within the People Function in determining whether roles are new or significantly changed to roles currently in existence and thus require a full evaluation.

Relevant role profiles/job descriptions and grades will be made available to staff during formal consultation to assist with feedback processes. In exceptional cases indicative grades may be utilised for this purpose until any job evaluation process has concluded. Further evaluation processes may be required if amendments are agreed following formal staff consultation. However formal consultation will not be closed until all of the

relevant final, confirmed role profiles/ job descriptions and grades have been made available.

If a requirement for re-evaluation or appeal in relation to an existing role arises during the planning or implementation phase of a business case this should be highlighted by the relevant manager to the relevant stakeholders and HR specialist at the earliest opportunity.

Both Dorset and Devon and Cornwall Police utilise different job evaluation systems and details of these can be found on the Alliance HR Change Team [SharePoint page](#).

### **Under Review Status**

There may be some change programmes where it is anticipated that redundancies will occur, however, it is unknown which exact areas will be affected until formal consultation concludes. In view of this, consideration will be given to placing certain groups of staff 'under review'. Any decision to do so is at the discretion of the Head of HR Change.

The aim of this status is to minimise redundancies in the process by encouraging staff to consider a voluntary move to an alternative role. This will be done by staff receiving consideration for vacant posts of the same grade or lower prior to normal recruitment processes (see 4.8). Staff applying for higher graded posts utilising under review status will be guaranteed an interview if they meet the minimum criteria for the role.

If staff opt to accept an alternative role utilising under review status, any protection arrangements as outlined in this policy would not apply. Therefore, it would be an individual's decision whether or not to accept an alternative role at an 'under review' stage.

## **4.2 Formal Collective Redundancy Consultation**

Where there is a change involving redundancy, information should be shared in such a way as to demonstrate that there is meaningful consultation as set out by employment legislation and associated guidance. During consultation, alternative approaches and proposals put forward by trade unions must be given due consideration. If they are rejected, the reasons why must be provided and recorded. Managers will be supported at meetings with trade unions by the appropriate HR Specialist and relevant meetings will be documented.

Areas that need to be covered as part of redundancy consultations include:

- Reasons for the proposals;
- Numbers of redundancies;

- The way in which staff will be selected for redundancy.

The main aim of the consultation is to seek ways of avoiding redundancies, reducing the number of people to be made redundant and/or mitigating the effect of any redundancies.

The nature of the consultation means that it is likely to take place over a number of weeks and any implementation plan must, therefore, ensure appropriate time is allowed for meaningful consultation. Informal engagement of trade union and police staff association representatives during the preparation of a business case can be useful as it enables views and ideas to be shared at an early stage in the change process and can pay dividends during the formal consultation process.

It is possible to reach early agreement on elements of an overall proposal in advance of the full collective consultation process completing if all parties are in agreement, for example the early appointment of a department head.

Extra care must be taken when dealing with redundancies that occur following a TUPE transfer. Any redundancies which are directly as a result of a TUPE transfer are automatically unfair and there will be a requirement to evidence that any such dismissals are for sound economic, technical or organisational reasons (known as ETO reasons).

### **4.3 Collective Consultation with Affected Staff**

In addition to collective redundancy consultation with trade union representatives we will seek to share proposed new structures, including job descriptions/role profiles and grades with affected staff through a group presentation in order to seek their feedback. This is in addition to the individual consultation process described in 4.10.

### **4.4 Group Announcement to Affected Staff Following Consultation**

Following the closure of formal consultation, when all relevant staff feedback has been fully considered and responded to and once the appropriate governance has agreed the new structure or change, the proposal is then finalised.

At this point, affected staff and officers will be notified of the final agreed change, including where relevant final job descriptions/role profiles and grades.

### **4.5 Implementation**

The implementation process covers the change activity from the point that formal approval has been given to implement a new change.

All Police staff whose substantive role is within the scope of a team, function or department which is subject of change will be managed through the change in their substantive role.

We will usually seek to manage change using the principle of a 'closed pool' which is the totality of individuals within an area affected by the change. The details of the pool will have been agreed as part of the collective consultation process. This 'closed pool' seeks to ensure that individuals directly affected by the change are considered first for positions within that business area. Within the main closed pool, we may also introduce further 'closed selection pools' which are related to specific jobs, grades or locations and again any such proposals would be covered during the consultation process.

Only individuals within a closed pool will be eligible for selection in the first instance. Police staff on the redeployment register will not be eligible for consideration other than on an exceptional basis where, for example, an individual on the redeployment register has a disability/is on maternity leave and meets the criteria for the role. Please refer to 4.8

Within a closed selection pool, the intention is to place as many police staff as possible into roles that are the same or similar to their substantive post. For this reason, people will first be considered for those roles most like their substantive one. This will take precedence over anybody displaced or any applications for roles constituting significant change, career development, or promotion. There are a number of different selection approaches available and the HR Specialist will advise the relevant stakeholders which are most valid in any particular scenario. This will be done in consultation with the recognised trade unions.

Any police staff not appointed following the above processes will be advised that they are at risk of redundancy and will be served with formal notice. All staff will be granted the relevant notice period if served with a redundancy notice and the redundancy pay calculation will be based on the individual's employing Force policy, or TUPE protected terms (if applicable). Formal approval for this will be outlined in the relevant appendix.

#### **4.6 Appointments to Posts in a New Structure**

For change processes both Forces use job content and grade as key determinants of eligibility for appointment into a new role in a new structure. However, given that change can cross organisational boundaries, different job evaluation schemes may be in operation and in such circumstances a wider approach may be required to determine an individual's eligibility for roles in a new structure.

As a general rule, within the closed pool in question, the aim will be to objectively assess how similar existing jobs in the current structure are in relation to any jobs in the new structure. This process will determine eligibility pools for each role in the new structure (i.e. confirming which people will be considered for each role). The pools and resulting processes will be discussed and agreed with the trade unions during any

formal consultation and reviewed during the implementation process. This will be done on the basis of a review of role content (role profile/JEQ/JD) led by the job evaluation expert in liaison with the relevant stakeholders. In the event of a disagreement in order for a final decision to be made a panel would be convened which would be chaired by the HRCM (or equivalent level manager) and would typically include the HR lead, the appropriate business stakeholder and trade union representation.

In the event that agreement cannot be reached utilising the above approach then the final decision on pooling will be made by the Head of HR Change.

#### 4.7 Role Assessments and Outcomes

There are three possible outcomes in relation to the assessment of posts within a new Structure<sup>2</sup>:

- **Unchanged** roles - where the content of a role is identical to that in the previous structure. If a role is unchanged there is no change to the work that is done or the current grade and pay. A reduction in the number of post holders may, however, be required
- **Substantially unchanged** roles - where the accountabilities, skills, experience and qualifications are highly similar between the roles that exist in previous structure and the new structure. There is no specific percentage of 'overlap' specified so management judgment needs to be applied. As a guideline a figure of 70-75% may be considered reasonable. In the majority of cases it would not involve an increase/decrease in grading. A reduction in the number of post holders may, however, also be required.
- **Role does not feature** - where the requirement for work of a particular kind has ceased or diminished or is expected to cease or diminish. The post holder will therefore consequently be in a redundancy situation unless a suitable redeployment opportunity can be established.

Staff will receive formal notification of the outcome decision for their particular role and any further processes that may be required or options that can be offered. Outcome decisions will not normally be confirmed until all relevant change processes have been completed.

##### 4.7.1 Suitable Alternative Posts

If a member of staff's post does not feature, but a suitable alternative exists within the new structure (i.e. where the terms and conditions, including pay are similar and there are significant commonalities between the existing and new role in terms of the accountabilities, skills, experience and qualifications), that member of staff may

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<sup>2</sup> Please note TUPE protection will apply as applicable

automatically be re-deployed to that post subject to the conclusion of any appeals process and consideration of the order of eligibility for posts (4.8). There may be situations where multiple post holders will be ring-fenced for the same role and a competitive process may, therefore, be required.

#### **4.7.2 Salary Spinal Column Point following Redeployment**

In circumstances where an organisational change is taking place and an individual is redeployed to a post on a higher salary or with a different salary bandwidth, in most circumstances, the starting salary will be at the bottom of the pay scale or at the next nearest higher salary point to that which they were previously employed on. However, the starting salary within the pay scale will be set on an individual basis taking into consideration any existing knowledge, skills and experience that the member of staff may have gained and can evidence against the essential criteria for the role. This decision will be taken as part of the implementation process in consultation with the HR specialist. In the event of any disagreement the final decision will be made by the Head of HR Change in consultation with the Trade Unions.

This approach will not apply to a 'business as usual' re-evaluation request for an existing role due to a significant change in duties. In these circumstances the relevant processes stipulated in the procedural job evaluation agreements in each Force will apply.

#### **4.7.3 Relocation of an Activity**

When a change process results in relocation of a role each individual's personal circumstances will be ascertained to establish whether or not re-employment in the new location would be deemed reasonable. In making this decision consideration will be given to difficulties in making the new journey, caring responsibilities, and any disability considerations etc. If required an individual consultation will be offered in order to explore this further. In the case of disabled employees, it may be advisable to also refer to the relevant policy relating to managing staff with disabilities alongside this policy. The HR lead will advise staff and managers in this respect in liaison with the HR Operations team, based on the individual's circumstances.

If following this process it is agreed that the individual cannot relocate to the new location the individual will be written to and advised of this and support will then be provided based on their individual circumstances

Should an individual initially decide to reject the relocated role but then change their mind at a later date it cannot be guaranteed that they will still be able to benefit from preferential consideration in respect of that role.

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#### 4.7.4 Appeal against outcome decision

Staff can appeal against an outcome decision for two reasons namely that a perverse decision has been made and/or an abuse of process has occurred.

Notification of appeals should be made in writing to the appropriate HR Specialist within 10 working days of receipt of the outcome letter and must include a statement containing the grounds of appeal under one or both of the above criteria. All appeals will be assessed by the Head of HR Change in conjunction with Trade Unions. Precise details of how to submit an appeal will be included in the outcome letter

Due to this right of appeal all outcome decisions will not be formally confirmed until the appeals process and relevant change process has concluded. Staff will be formally updated at that point as well as receiving confirmation of the implementation date from which the change will take effect.

#### 4.7.5 Voluntary Processes

In the event that there are more post holders in a particular role than there are posts a decision will be made as to how to achieve the required reductions in that area.

The following voluntary options may be considered and a decision on which will be applied will be made on a case by case basis taking into account the specific change programme in question and will form part of the consultation process with trade unions and staff associations.

#### Voluntary Redeployment

Where a reduction in numbers is required, or a role does not feature in the new structure, staff in the affected pool will be able to highlight alternative vacant roles within the pool that they are interested in voluntarily applying for to avoid redundancy or as a means to avoid a redundancy selection process taking place. This is in accordance with our statutory responsibility to avoid redundancies.

Eligible staff will be sent a preference form with their outcome letter, asking if they wish to be considered for posts available in the new structure.

The order of preference for roles will comply with the order of eligibility for posts outlined in 4.8 and whilst all requests from relevant volunteers will be considered, there is no guarantee that all or even any of the requests will be accepted. Redeployment options at the same grade and comparable level of responsibility will be explored prior to consideration of higher graded redeployment opportunities.

Staff accepting a lower graded post as part of this process will be eligible for pay protection as outlined in 4.15.1, as the reason for their redeployment is to avoid a redundancy.

Staff accepting a temporary appointment as part of this process will be progressed utilising the principles outlined in 4.19.5, and if applicable pay protection will apply.

All offers of voluntary redeployment as part of a change process will include a trial period for the individual and the organisation to consider whether the post is a suitable alternative and will follow the process outlined in 4.12.3. If during or at the end of the trial period the employee finds the post unsuitable and/or the manager feels they are unsuitable for the post, this should be referred back to the appropriate HR Specialist for input. The employee will be placed “at risk” under the terms and conditions of the substantive post held prior to redeployment.

## Voluntary Redundancy

The use of targeted voluntary redundancy to staff within the closed pool will only be considered where:-

- there is a clear business need, i.e. where the current staffing level exceeds the defined pool for the position; and
- there is no anticipated scope for redeployment; and
- the cost / benefit implications are acceptable

If expressions of interest for voluntary redundancy exceed the required reduction and the above criteria are met, offers may be determined on the grounds of the most cost effective outcome.

In situations where a role or team is being removed from the structure entirely, this constitutes a compulsory redundancy situation and it would not be appropriate to seek volunteers. Individuals should be managed through the individual consultation process and we would seek to redeploy them where possible.

The decision-making criteria discussed during the consultation process will be used to determine which applications are approved and a panel will be held with trade union observers.

Individuals leaving under compulsory or voluntary redundancy will be eligible for outplacement support.

Where it has been agreed that voluntary redundancy will be offered there will be a fixed window to apply in writing. Individuals will normally be informed of the outcome within two weeks of the closing date.

The relevant HR Specialist will consider any applications that are received for voluntary redundancy and recommend either acceptance or rejection to the appropriate decision making authority. Applicants will have an agreed timeframe to formally indicate whether they intend to accept or decline any offer prior to it being formally approved.

Applicants will have seven days to lodge an appeal against any recommendation by the HR Specialist to refuse voluntary redundancy. This appeal will be to the Head of



HR Change in writing and considered on its merits following discussion with Trade Unions. The Head of HR Change will respond to any appeals in writing and the decision will be final stating grounds specifically.

#### 4.7.6 Selection / De-selection Processes

If the required reduction in numbers of post holders is not achieved, there will need to be a selection or de-selection process using pre-agreed criteria.

The processes can typically be interview-based or paper-based. Selection usually involves positively selecting people 'in' to a role, whereas de-selection involves selecting people 'out'. The process and decision-making criteria will be subject to collective consultation with the trade unions.

Individuals will be advised that, if they are unsuccessful in securing a role within their 'closed pool', they would be invited to a formal individual consultation meeting. At this meeting, the member of staff will be invited to **either** consider any appropriate vacancies that exist at that time **or** they will be served with formal notice of redundancy. At this meeting individuals have a right to be accompanied by a trade union representative or a work colleague.

#### 4.8 Order of Eligibility for Posts

The below list outlines the order in which individuals will normally be considered for roles in any new structure. However, there may be occasions when appointments will be made to posts on a different basis. The stages will be followed in turn until such time as all posts in the new structure are appointed. Any complex situations should be referred to the HRCM for advice.

1. Staff undertaking unchanged / substantially unchanged roles (reduction in numbers may be required)
2. Staff on Maternity Leave<sup>3</sup> in the closed pool/on the redeployment register in both Forces who are suitably qualified
3. Staff requiring Medical Redeployment due to a Disability on the redeployment register in both Forces who are suitably qualified
4. Staff within the closed pool whose substantive role does not feature, who are on the same grade<sup>4</sup> or higher than the relevant post in the new structure.
5. Staff within the closed pool whose substantive role does not feature who are on a lower grade than the relevant post in the new structure may be considered (as clarified later in this section)
6. Staff on the redeployment registers in both Forces (not closed pool) who are on the same grade<sup>5</sup> or higher than the relevant post.

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<sup>3</sup> Throughout this document reference to Maternity will also imply inclusion of Adoption, Shared Parental and may include other forms of Family leave. Specialist advice should be sought from the appropriate HR Specialist

<sup>4</sup> Grade may not be the only determining factor, please refer to 4.7 for further detail,

<sup>5</sup> Grade may not be the only determining factor, please refer to 4.7 for further detail,

7. Staff on the redeployment registers in both Forces (not closed pool) who are on a lower grade than the relevant post in the new structure may be considered (as clarified later in this section)
8. Staff “Under Review”
9. Normal recruitment processes.

In order for individuals to be redeployed into new posts, they will need to evidence an appropriate level of skills match with the requirements of the role in order to be appointed. However, reasonable levels of retraining may be considered and will be assessed on a case by case basis.

We will not in the first instance consider aspirational applications e.g. higher graded jobs. However, in exceptional circumstances, it may be determined appropriate to consider someone who is potentially at risk of redundancy for a higher graded role. This may be as a means of redeployment with the aim to avoid a redundancy situation and/or where their skills and experience are highly specialised and are unlikely to be found elsewhere in the organisation.

Redeployment options at the same grade and comparable level of skills/responsibility will be examined prior to consideration of higher graded redeployment opportunities, even if the individual has not preferred for any roles at a comparable level. If after ‘comparable’ options have been considered there is nothing suitable then consideration will be given to higher graded roles. The individual would need to evidence that they meet the required skills for the post and this can be tested via written evidence and/or a suitability meeting. The purpose of this process is to identify if there are gaps in knowledge/experience and to determine what these are in terms of costs/time and impact on the organisation. This will be progressed in liaison with the appropriate HR Specialist. The nature of any selection processes utilised will be confirmed during the formal consultation/implementation process in consultation with the trade unions.

If an individual is redeployed to a lower graded role to avoid redundancy, pay protection will apply as outlined at 4.12.1.

Once all staff have been considered for the vacancies as outlined in steps 1-9 above, all individual outcomes have been determined and all change processes have been completed, any resulting vacant posts must be advertised as business as usual recruitment in accordance with the agreed police staff vacancies process relevant to the change.

#### **4.9 Individual Consultation**

The individual consultation process has been designed with some flexibility such that formal face-to-face consultation meetings are normally only arranged where the situation for individuals is unclear and/or they are in a redundancy situation. For individuals whose substantive role exists in the new structure there is no requirement for an individual consultation meeting unless the individual requests it or a meeting is

requested as part of a selection or appeal process. Staff have the right to have a trade union representative or work colleague with them at a formal individual consultation meeting if they so wish.

It is possible that individuals will request to meet with managers and/or a representative from HR outside of these formal meetings. To maintain effective communication and involvement of police staff, this dialogue is encouraged. However, it is important that these discussions do not pre-empt the content of the formal meetings and merely provide an opportunity to answer queries regarding the management of change process in general.

#### **4.10 Contractual Variations**

Once the above processes have concluded, including relevant appeals processes, staff will receive notification of a final confirmed decision and an agreed date for the commencement of the change.

The final outcomes will then be submitted to the appropriate employment contracts department for relevant systems to be updated and any contractual variations to be processed. Where applicable, new employment contracts or contractual variations will be issued.

#### **4.11 Redundancy**

Individuals who have not been appointed to a role in the new structure following completion of the processes described in 4.7 to 4.10 are effectively 'at risk' and are served with formal notice of redundancy. At this point, they become eligible for priority treatment for vacancies through the redeployment process as described in 4.12.

Individuals in this situation will be offered an individual consultation meeting. These meetings will have a member of HR present, either conducting the meeting or supporting the line manager in doing so. Individuals will receive advance written notification of the meeting which will explain what the meeting is about and will advise them of their right to be accompanied by a trade union representative (if they are a member) or a work colleague. Formal redundancy notification will be served during this meeting where possible and the redeployment process will be explained. Redundancy illustrations, including early payment of pension where applicable, will be provided at the point the formal redundancy notice is served.

If a meeting is not required by the individual, then redundancy notification can be served by email/post with an accompanying explanation of the redeployment/support processes.

Staff who are identified as being 'at risk' during an individual consultation meeting following completion of all change processes but their redundancy has not yet been formally signed off will continue to be supported by the relevant HR Specialist and be able to apply for vacant roles utilising their "at risk" status until approval has been received at which point they will be placed on the redeployment register. A skills profile will need to be completed in all cases.

#### 4.11.1 Redundancy Notice Period

Any individuals placed at risk of redundancy as a result of implementing a change process will have a 90 day notice period regardless of their contractual notice. This notice period will only take effect from the point the formal redundancy notification is served in writing.

#### 4.11.2 Redundancy Terms

The redundancy terms in each force are set out within the respective redundancy policies.

The redundancy pay calculation will be made by Payroll in liaison with the appropriate HR Specialist, in accordance with the Government Statutory Redundancy Process and Force procedures, as appropriate and provided to the individual.

Individuals will only be entitled to redundancy pay if they have employee status and have 2 years of more continuous service in accordance with Employment Rights Act 1996.

#### 4.11.3 Redundancy Appeals

Individuals who wish to appeal against their selection for redundancy should do so in writing to the Head of HR Change within 10 days. Staff can submit an appeal based on two reasons:

- a perverse decision has been made
- and/or there has been an abuse of process

Appeals must provide evidence to support the appeal.

- The Head of HR Change will:
  - review the steps taken in reaching the decision
  - check compliance with process, policy and employment legislation
  - seek further information/clarification if required by means of convening an appropriate panel including Trade Union representative as observer
  - liaise with trade unions regarding process (if no panel required)
  - confirm the decision in writing to the appellant

#### 4.11.4 Outplacement Support

Outplacement support may be offered to police staff to help them prepare to find other employment or to start self-employment or other life plans. Information about the outplacement support available can be accessed on both Forces Intranet sites or via the HRCT.

## 4.12 Redeployment following closed pool processes

Where an individual is redeployed in the Force that isn't their current employer, they will transfer (following successful completion of any associated trial period as described in 4.12.3) to the other Force. In this case, the individual will have continuity of service as long as there has been no break in employment.

Employees who are deemed 'at risk' are eligible to be considered/apply for a temporary appointment. However, individuals in these circumstances must be aware that once they receive their official redundancy notice, acceptance of a temporary appointment will be considered as a suitable alternative employment and the individual will no longer be deemed as 'at risk'. Any notice of redundancy relating to the previous post will be withdrawn if this has already been served, including any associated stated redundancy payment. This will not affect any potential future redundancy rights.

The principles outlined in 4.16.5 will be considered in these circumstances.

Any protection arrangements specified in this policy which are linked to redeployment such as pay protection and excess travel will only apply to employees who have two years' service or more.

### 4.12.1 Pay Protection

Different pay protection arrangements apply in each Force for staff redeployed to lower paid roles. Where an entitlement to pay protection arises, for example in the implementation of a new staff structure following a TUPE transfer or following voluntary or other redeployment to avoid redundancy, then the principle will apply that the member of staff will be no worse off in terms of their right to pay protection. Due to the potential complexities involved in determining pay protection arrangements all individual cases should be referred to the HR Specialist for guidance.

Existing pay protection arrangements that exist within each Force when individuals are redeployed into a lower graded post are as illustrated below:

Devon & Cornwall Police	Dorset Police
<p><b>Pay, allowances and entitlements protection*:</b></p> <ul style="list-style-type: none"> <li>• 100% for 1 year</li> <li>• 50% for 1 year</li> <li>• where the total of the new pay <u>and</u> allowances is less than the previous pay and allowances</li> </ul>	<p><b>Pay protection:</b></p> <ul style="list-style-type: none"> <li>• 100% for 2 years</li> <li>• 50% for 1 year</li> </ul> <p><b>Allowances and entitlements protection*:</b></p> <ul style="list-style-type: none"> <li>• 100% for 6 months</li> <li>• 50% for 3 months</li> <li>• Averages calculated over previous 12 months</li> </ul>

*\*Allowances and Entitlements may include for example shift allowances, standby, irregular hours allowance, weekend enhancements*

The individual will receive protection for up to a maximum of two grades higher than the post they are redeployed to, not exceeding their current salary. After the period of protection the salary will revert to the evaluated grade of the post.

It should be noted that staff who are redeployed to a lower graded post which attracts an allowance i.e. shift allowance, weekend enhancements etc. should not gain financially by receiving pay protection. Protection is only in place to bridge the gap in pay where a person is redeployed to a lower grade and is aimed at helping to avoid hardship.

#### **4.12.2 Maternity Leave – Pay Protection**

If an employee becomes eligible for pay protection under this policy and then takes maternity leave during the pay protection period, the protection will be frozen as follows:

- a) If an employee is eligible for and elects to receive the 18 weeks at full contractual maternity pay, then the payment protection would be frozen after the first 18 weeks of maternity leave until the employee returns to work.
- b) If an employee is eligible for and elects to extend their final five week's maternity pay to 10 weeks at half pay then the payment protection would be frozen after the half pay period has concluded until the employee returns to work.

For those employees taking adoption leave and who are eligible for pay protection, the protection will be frozen for the duration of the Statutory Adoption Pay period and any statutory unpaid period until the employee returns to work.

For those taking adoption support leave or paternity leave and who are eligible for salary protection, the protection arrangements will be frozen for any statutory periods of adoption support or paternity leave taken.

For those eligible for Maternity Allowance the payment protection would be frozen for the duration of the period where maternity allowance is claimed and any statutory unpaid period taken until the employee returns to work.

Any KIT days taken will be paid at the protected rate and these days will form part of the overall pay protection period.

The revised end date for the pay protection period will be recalculated upon an individual's return to work and communicated in writing.

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### 4.12.3 Trial Periods

All offers of redeployment as part of a management of change process will include a statutory trial period for the individual to decide whether the post is a suitable alternative to their previous one and for the Force to decide whether the individual is suited to the post. .

Trial periods would normally be for a month but this may be extended by mutual agreement, e.g. for a job with a greater training requirement or for a part-time worker.

During the trial period progress reviews should take place on a regular basis and the focus of the reviews should be for both manager and employee to discuss any potential problems and how the trial is working.

At the end of the trial period one of the following options will apply:

- Successful completion of a trial period agreed by both parties will result in the individual being confirmed in post, with appropriate pay protection (if applicable).
- If for sound reasons a specific trial is deemed unsuitable to both parties, a second trial may be offered. In all trial situations any redundancy notice continues to run for the duration of the trial period.
- If the manager does not deem the individual suitable, with appropriate documented reasons, the person would be considered as being redundant if no other redeployment opportunities were available or if the date of redundancy has passed, i.e. where the trial has gone beyond the last day of employment
- If the individual does not deem the post suitable, they would need to provide reasons in writing, which the manager will then consider. If the manager agrees, the individual would then be made redundant if no other redeployment opportunities were available. If the manager disagrees, the individual can still be substantively appointed although such cases will be referred to the HRCM for independent review.

If an employee is redeployed as part of this policy and is absent from the organisation for any reason (e.g. sickness, ELB, Maternity etc.) the trial period for that role will take place once the employee starts in that role, either before commencement of the absence or on their return to the role.

### 4.13 Relocation

Relocation in the form of funded house moves will not be provided. Any exceptions would require specific advance approval from the relevant Director of Finance and Director of People.

#### 4.14 Excess Travel

Police staff who incur additional travelling expenditure as a result of a change in work location determined by a change process will be paid excess mileage in arrears. Excess mileage for police staff is home to place of work mileage less previous home to place of work mileage before the change in work location.

This will be calculated on a daily basis, whichever is actually incurred

- a) Own car - mileage allowance at 45p per mile
- b) Public transport - Standard train and/or bus fares

Excess mileage (own car or public transport) incurred will be paid up to a maximum of £8,000 or two years whichever is reached first.

Individuals who are intending to use their own vehicle should check their vehicle insurance to ensure that the correct insurance cover is in place and give due consideration to the additional mileage incurred. Excess travel time is not payable.

Employees who are redeployed to a higher graded post as part of a change process or are subsequently promoted to a higher graded post would not be eligible to claim excess travel costs.

#### 4.15 Dual Site Working

Changes in the way that the Forces deliver policing as a result of a change may mean that officers and staff are required to cover larger areas of the county / region.

The Forces have a business travel policy which provides details of reimbursement for business travel however, HMRC rules may determine that some of this reimbursement is classed as ordinary commuting and if so is taxable.

Representatives from ACPO and CIPFA National Police Tax Forum have worked with HMRC to gain an understanding of these tax implications and this has led to the implementation of a new Force working practice called [Dual and Alternative Workplace Travel](#).

A five step test is required to be applied to understand whether a journey is considered to be a dual workplace journey and is therefore subject to tax and national insurance.

Officers and staff who regularly work from dual or alternative locations should familiarise themselves with the working practice and if they think they may fall into this category please email Payroll Enquiries for further information in the first instance.



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## 4.16 Special Circumstances

### 4.16.1 Absent Police Staff

It is vital to ensure that police staff who are not attending work for any reason are considered on the same fair and objective basis for new roles as their colleagues. This could include individuals on maternity leave, secondment or long term sick, career break, etc. and it is appropriate to adjust the selection process or timing, within reason, to seek to accommodate their personal circumstances where possible. The relevant manager should communicate regularly and appropriately with such individuals including making them aware of redeployment opportunities and open adverts during any period of absence.

### 4.16.2 Flexible Working

Both Forces are committed to supporting flexible working and managers should try to ensure that individuals are not deselected for a role solely on the basis of their current work pattern, as this may constitute direct or indirect discrimination.

### 4.16.3 Extended Leave Breaks

New applications received by staff who are currently going through a change process will be considered under their current Force Policy.

The Force will not be in a position to delay organisational change to ensure individual consultation takes place with employees on extended leave breaks but it will endeavour to initiate consultation when a contact email and/or postal address etc. has been provided. In the event of any future changes affecting a post, the Force reserves the right to implement those necessary changes but in so doing will always seek to follow the principles of the Management of Change Guide as far as practicable.

If an employee becomes eligible for pay protection under this policy and then takes an extended leave break during the pay protection period, the protection will be frozen for the duration of the extended leave break.

If an employee is redeployed as part of this policy the trial period for that role will take place once the employee starts in that role, either before commencement of the extended leave break or on their return.

### 4.16.4 Supervision of Police Staff 'At Risk'

Individuals who do not secure a role through the closed selection processes and then go onto the redeployment register remain the responsibility of their current manager. This manager must keep them updated, manage sickness absence, etc. and support them in their efforts to seek suitable alternative employment. The resourcing department will also provide support as appropriate.

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Unless agreed to the contrary, the individual will remain on the departmental budget until they leave the organisation or they are successfully redeployed.

#### **4.16.5 Seconded Staff and Temporary Appointments**

##### **Staff who hold a substantive post following a restructure**

Staff who are on a secondment and secure a substantive post will have their secondment arrangement reviewed following any change process. A decision will be made on a case by case basis whether the secondment can continue (and/or if amendments are required) or will need to cease.

##### **Staff who no longer hold a substantive post following a restructure**

During any change process, there may be circumstances where an individual's role has been disestablished and they are seconded to a different role and they wish to consider the remaining tenure of that secondment as an alternative to redundancy. In such circumstances an initial assessment will take place to establish the impact on the organisation if the individual remains employed for the specified tenure and this will include both the financial and organisational impact.

If an individual wishes to accept an offer to remain in the role they have been seconded to, this will be dealt with as a temporary appointment and the role would then become their substantive post.

The Head of HR Change reserves the right not to offer a temporary appointment to any employee who has either been notified as being at risk or who could potentially be considered at risk in the foreseeable future. Each circumstance will be considered on a case by case basis.

##### **Extension of current substantive Role**

Where there is a business need to retain an individual beyond the implementation date then an extension to the notice period can be offered provided an alternative redundancy date is decided and notified to the individual. Any such extension of notice will require agreement of the individual.

The individual will be placed onto the redeployment register for the final 90 days of their extended notice period with a view to finding a suitable substantive alternative role during that period.

#### **4.17 Recruitment during Organisational Change**

A Management of Police Staff Vacancies policy is in place across both Forces to ensure that permanent recruitment is restricted during periods of organisational change to ensure that our staff receive added protection from potential redundancy and associated cost are kept to a minimum.

If vacancies arise in an area subject to a change proposal prior to implementation, approval will only be given to fill such vacancies on a temporary basis, unless a role is deemed as critical. The current process for seeking staff to fill vacancies on a

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temporary basis can be via direct appointment, internal secondment, agency worker or fixed-term contract. The resourcing team will be able to advise on the most appropriate means of filling a vacancy if approved.

As a general rule it should be noted that fixed-term contract (FTC) workers are covered by the Fixed term (Prevention of less favourable treatment) Employees Regulations (2002) and generally have the same rights as permanent employees. An FTC worker is entitled to apply for internal vacancies and as with permanent employees will also be entitled to redundancy pay. FTC workers unless employed for a very specific reason have a right to be included in selection pools for roles in a restructure. This could ultimately lead to permanent staff being made redundant or otherwise displaced. Please refer to the relevant Fixed-term Workers Policy for further details.

Agency staff are covered by the Agency workers Regulations 2010 that broadly speaking, after 12 weeks, gives them the right not to be treated less favourably in many aspects, e.g. pay when compared with permanent staff and the right to apply for internal vacancies. Agency staff do not have any right to redundancy and only have to give or be given one week's notice. Their employer is their agency. Engagement of agency staff is generally the fastest route to the provision of external staff.

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## APPENDIX A: GLOSSARY OF KEY TERMS

This glossary describes how we will interpret specific HR terms for change programmes. This differs in places from previous definitions in one or both Forces. Some definitions only apply to police staff.

### **At Risk**

This is an abbreviation of 'at risk of redundancy'. Individuals are defined as being 'at risk' only when they are served their formal notice of redundancy however for the purposes of supportive measures as outlined in this policy (for example voluntary redeployment) these may apply at the point of an individual being informed that their role does not feature and prior to formal notice being served.

### **Closed Pool**

This is a defined group of staff or officers who are 'ring-fenced' for a specific purpose, e.g. selection for jobs or for voluntary redundancy within a business area.

### **Competitive Selection / De-selection**

This occurs where there are new or significantly altered posts in a new structure and/or where there is an excess of individuals who meet the criteria for the posts. The process determines who provides the best match to the post using pre-agreed criteria. It can be interview-based or paper-based. Selection usually involves positively selecting people 'in' to a role, whereas de-selection involves selecting people 'out'.

### **Redundancy**

For entitlement to redundancy payments, under the Employment Rights Act 1996, redundancy arises when employees are dismissed because the:

- employer has ceased, or intends to cease, to carry on the business for the purposes of which the employee was so employed; or
- employer has ceased, or intends to cease, to carry on the business in the place where the employee was so employed; or
- requirements of the business for employees to carry out work of a particular kind has ceased or diminished or are expected to cease or diminish; or
- requirements of the business for the employees to carry out work of a particular kind, in the place where they were so employed, has ceased or diminished or are expected to cease or diminish.

### **Restricted or Tiered Recruitment**

Both forces operate an authorisation and staged processes for managing vacant posts. For police staff, this requires an initial assessment of the criticality of the vacant post and, if approved, sequential steps will be followed to fill the vacancy to ensure that wider organisational objectives are not compromised.

In order to minimise redundancies of police staff both forces are currently restricting recruitment, and are using agency or temporary staff where necessary. We will also

seek to redeploy people at risk of redundancy (who have been given 90 days' notice) wherever possible.

### **Restructure**

This is where changes are made to an organisation due to new or changed requirements in terms of, for example, the work that is delivered, the way jobs are designed to undertake the work or the management levels in the business unit to direct the work. A restructure may take many different forms but typically involves one or more of the following changes:

- New posts may be created and existing disestablished due to a change in the way that the work is undertaken.
- The location of a work activity may alter.
- Existing posts may no longer be required due to a changed requirement for a particular kind of work or an efficiency improvement meaning that the service can be delivered with fewer posts.
- Working hours may change due to differing demand or changes to service, impacting on shift patterns and allowances
- A re-engineering of the organisation may change the number of staff required to perform particular functions.
- Introduction of new processes and technology may change the way that services are delivered
- Posts in a new structure may be altered only slightly, for example a change of title or addition of a small number of new tasks similar to those already undertaken.
- The line management of a function or post may alter.

### **TUPE**

TUPE refers to the "Transfer of Undertakings (Protection of Employment) Regulations 2006" as amended. The TUPE rules apply to organisations of all sizes and protect employees' rights when the organisation or service they work for transfers to a new employer.

TUPE is the main piece of legislation governing the transfer of an undertaking or business, or part of one, to another. The TUPE regulations protect employees by entitling them to the same terms and conditions, with continuity of employment, as they had before the transfer. TUPE applies to all relevant transfers including situations where services are assigned to a new contractor, for example in labour-intensive services such as office cleaning, catering, security and refuse collection.

### **Voluntary Redeployment**

This may be used as an alternative to a redundancy/retention selection process when there are more people in a particular role than there are posts in the new structure. Staff in the affected pool will be able to highlight alternative roles they may be interested in voluntarily selecting as a suitable alternative to potentially avoid a compulsory selection process taking place.

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### **Voluntary Redundancy (VR)**

This offers staff the opportunity to volunteer to be made redundant. This is used in circumstances which fall under the statutory definition of redundancy (post is removed) but offers self-selection by individuals (subject to employer approval) rather than compulsory selection by the employer. Individuals who accept an offer of VR may only apply for jobs with either Force/OPCC at the discretion of the Head of HR Change following consultation with Trade Unions.

### **Voluntary Severance (VS)**

VS is a mutually agreed resignation in return for a severance payment and usually supported by a settlement agreement, which sets out the financial and other terms under which the employment relationship will end. Individuals' posts can remain in the structure and someone else can be redeployed or recruited into them. VS will not be offered on a force-wide basis. Targeted VS may be considered with the express agreement of the relevant boards.

## APPENDIX B: ORGANISATION DESIGN PRINCIPLES

Principle	Guidance
Ensure public focus	Use of specialist advisory groups to ensure the widest possible cross section of society is catered for.
Increase spans of management control	Minimum span of eight in more technical/specialist areas and no more than twenty in transactional work. By exception one manager to no less than four staff, e.g. location specific requirement.
Reduce the number of management layers	Work on the basis of four layers of management maximum between the first tier of the workforce and their functional lead at a senior level. This should apply within any department/ command area.
Use meaningful and consistent job titles	Avoiding the use of terms like junior, assistant or deputy. Only use the title of 'manager' for roles with line management. Adopt meaningful terms recognised by the world at large. Attempts should be made to create generic roles so as to aid future career development and succession planning.
Invest authority at the appropriate levels to deliver efficient and effective service	Work responsibilities and decision sits at the lowest possible level consistent with the skills required.
Use police officer resource appropriately	Due cognisance is to be given to the effective and efficient delivery of the required service benefitting from the employment of police staff. As a first principle, police officers should be deployed into roles requiring sworn powers.
Build processes and structures against a balanced assessment of risk and benefit	Flatter structures are more risk tolerant than multi-layered structures. Those in more senior positions will have fewer decisions to make and fewer options presented to them. Effective communication is a pre-requisite to ensure there is knowledge transfer to appropriate levels of the structure.
Form follows function	Be clear on the requirement and service to be provided <u>before</u> developing the structure to deliver it (not the other way round!)
Do it once	Good analysis, clear accountability and effective communication. Related to management structure, accountability and responsibility.
Do it consistently	Clear and well documented processes aid consistency. Technology assists. Single approach taken across the force(s) giving consistency, resilience and cost savings.
Design around the required performance standards	Clarity on the performance standards, management style, culture and delivery.

Principle	Guidance
Resolve issues as close to first contact as appropriate/affordable	Flatter structures and decisions at an appropriate level.
Adopt agreed standards (national or Force)	Where it makes business sense to do so. Departure from agreed standards is an exception which needs to be justified and approved.
Build for the future	Build in flexibility to accommodate change, e.g. volume risk.
Ensure compliance	Clarity on the compliance required. Don't over complicate, recognising that in some cases compliance failure can lead to harm and public/legal scrutiny.
Less is more	Fewer, better qualified, more engaged employees leads to greater consistency, higher quality and a reduced error rate
Interoperability	Systems of work and processes require a standardisation of approach so that officers and staff are readily capable of deployment to all areas of the with the absolute minimum of local familiarisation.
Innovation and flexibility	Remove undue complexity and interdependence to enable change and adaptation. Analyse both formal and informal networks to eliminate power bases. Encourage individuals to undertake a range of tasks. Build in time for creativity and seek the views of the staff carrying out the work.
Contain costs and seek savings	Analyse staffing levels, work allocation and the need for supervision and management.



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## APPENDIX C - POLICE OFFICER ALLIANCE POLICIES, PROCESSES AND GUIDANCE

The following guidance for police officers has built upon the principles already agreed by the Alliance Executive Board and Section 22A Collaborative Agreement. It is also cognisant of the [Home Office Statutory Guidance for Police Collaboration](#)

This guidance has been developed for transitional purposes only, to enable the implementation of the Strategic Alliance.

### 1. Alliance Postings

Police officers working within a Strategic Alliance function will be required by their appointing Chief Constable to work to the instruction of the Chief Constable of the Force which has been identified as the Force to lead in this area of business. This Force will be known as the **Host**<sup>6</sup> Force.

Where this Force is different to a police officer's **Home**<sup>7</sup> Force, such officers will normally be posted on a voluntary basis to the Host Force. For workforce planning and reporting purposes, these will be known as '*Alliance postings*'. The relevant Chief Constable will have legal direction and control and thus legal responsibility for police officers who are members of their Force or who have been '*alliance posted*' to their Force being the Host Force for a particular business area or areas.

Alliance postings will normally be on a voluntary basis, as this is the position that has been developed and agreed by the Strategic Alliance Programme and staff associations. To reassure officers, in many cases, there may be minimal or no change to the role, examples could be only a change in senior line management or in the case of senior managers the requirement may be to lead a team across the two Forces. Details of any changes for officers will be fully discussed with officers through the formal consultation stages and will be confirmed in writing.

An Alliance Posting letter is issued to officers to confirm an Alliance posting, officers are not required to sign and return this document as non-return will automatically be deemed as acceptance of the posting.

If after consideration of the Alliance Posting letter the officer wishes to decline the posting they will need to inform the HR Change team who will ensure they are allocated an alternative role within their home force, subject to operational need.

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<sup>6</sup> "**Host Force**" the single Force that is hosting the function in question on behalf of both Forces and managing the delivery of the function/service across both Forces as a combined entity.

<sup>7</sup> "**Home Force**" the Force of which a police officer is a member.

All officers will be posted into an alternative role via the normal Force posting procedure, the details of which can be found on SharePoint.

Officers will not usually be posted outside of their Home Force boundaries whilst posted to an alliance function, unless that is on a voluntary basis.

A determination will take place as to whether there is any operational or organisational need for roles to be based in a particular county or geographic area; to prevent any unnecessary requirement to post across boundaries. In any exceptional cases that this is required, consultation will take place and any request will be reasonable, proportionate, with due consideration to an individuals' circumstances, the home Force travel policies and the post will only be within the officers alliance business area.

On a day-to-day basis, each police officer working within a Strategic Alliance function and posted to the Host Force will be line managed by police officers and police staff within the Strategic Alliance command structure for that business area, irrespective of which is the appointing Force of those being line managed and those line managing.

Police officers will be posted on their existing pay, benefits, terms, conditions and policies of their **Home** Force. Officers details will be retained on their **Home** Force systems and for career development, this will be considered from within their **Home** Force. However, if the alliance posting of such an officer requires a change to their existing terms and conditions due to the change in role or operational requirement detailed within the business case required by the Force, i.e. shift-working, additional travel, the relevant entitlement under Regulations or **Home** Force local variations will apply.

Alliance postings will not normally have any specified end date as they are simply a mechanism to enable the Forces to continue to operate in a Strategic Alliance environment. However, the relevant tenure policies/practices will apply in accordance with the **Home** Force policy. At any time during the posting officers may be required to return to their **Home** force.

It is acknowledged that the Forces' vetting arrangements, uniform, pre-requisites such as 'demonstration of ability to swim' are different. (This list is not exhaustive) These will undergo a longer period of review and harmonisation and thus there will normally be no requirement to refresh, change or undertake additional pre-requisites for alliance postings. However, if there is a change in role that would normally result in re-vetting or testing of fitness for example, then that will be undertaken using the **Home** Force policies. In the case of the 'requirement of demonstration of ability to swim', this will need to be resolved on a corporate basis under the harmonisation work.

In the interests of efficiency, reducing bureaucracy and unnecessary expenditure, it is proposed that officers who are posted to an alliance function will retain their existing collar number and their uniform. The uniform is particularly relevant where officers will remain geographically based. For example, an Operations officer hosted by Devon and Cornwall who is based in Poole will continue to wear a Dorset uniform. Clearly officers will be allocated a new uniform where a specific uniform is a new role

requirement. It is anticipated that in the longer term harmonisation of uniform may take place.

There is an aim to harmonise policy, procedures and practice for police officers across the two Forces where it makes sense to do so. Until that time police officer policies and procedures from the **Home** Force, for alliance posted officers, will be applied in relation to unsatisfactory performance, attendance, grievance and misconduct issues.

Advice and support required by managers will be supplied from the HR or Professional Standards representing the **Home** Force. The management of such cases or relevant management action will be carried out by the **Host** Force line management in accordance with the **Home** force policy where relevant.

However, in accordance with the Statutory Guidance for Police Collaboration, if it is determined that there is a case to answer in respect of gross misconduct, the matter will be referred to the Chief Constable of the Force which the officer is a member (the Home Force) for disciplinary proceedings. Potential fast track cases and cases of gross incompetence will also be referred to the home Force. Cases may arise where officers from different forces are involved in the same incident. The regulations allow disciplinary proceedings to be conducted by officers from another Force and therefore even in cases of gross misconduct, the officers could, have their cases heard in the same set of proceedings.

Where officers have a final written warning in Force at the date of the assessment of their conduct and there is a case to answer in respect of misconduct, or they are subject to a final written improvement notice and there is a case to answer in respect of unsatisfactory performance or attendance, the case will be referred to the Chief Constable of the Home Force. A check will be undertaken of whether this is the case before proceeding beyond the investigation stage.

## 2. Workforce Planning

Each Force currently has individual workforce planning (demand and supply arrangements) and the aim will be to align these in the future to permit effective workforce planning to continue.

However, controls are to be built into the 'business as usual' workforce plans of both Forces to ensure that changes agreed to police officer and police staff numbers as a result of the Strategic Alliance are appropriately reflected, e.g. in recruitment and promotion requirements.

The demand requirements (organisational design) will be supplied by the Strategic Alliance Programme Team and through HR Change Team to allow the workforce plan numbers to be amended. The HR Change Implementation Team will advise the Business Support Service of changes to the organisational design and officer's personal records as a result of a Change programme or the Strategic Alliance to enable

the establishment records to be maintained. The HR function will report on all workforce planning issues.

### 3. Alliance Implementation Process

Section 3 of the Management of Change guide provides details of the six step change process from development of the business case to the individual outcome for staff and officers. This includes details of the formal consultation process that will be applied to officers working in areas affected by the alliance restructuring. However, detailed below are the specific selection and de-selection principles that will apply through implementation of a Strategic Alliance business case.

### 4. Police Officer Management of Change Process

#### 4.1 Consultation

Sufficient time must be built into implementation plans for both collective and individual consultations. Advice on timescales will be provided by HRCP following discussion with the Head of HR Change who will retain oversight of the total impact of change across both Devon & Cornwall Police and Dorset Police.

It is expected that in conducting an organisational review we will have engaged informally with the officers affected. It is also expected that we will have informally involved the Police Federation and staff associations throughout any review.

The purpose of consultation is to provide as early an opportunity as practicable for all concerned to share the problem and explore the options. It can stimulate better co-operation between managers and officers, reduce uncertainty and lead to better decision making.

The collective consultation process is described in 5.4.2 and 5.4.3 and the individual consultation process is described in 5.4.6.

- **Informal** consultation will take place during the development of detailed business cases with all staff representative bodies (the recognised trade unions, the Police Federation and the Superintendents' Association)
- **General** consultation will take place with the Police Federation and Superintendents' Association on matters affecting their members.

There is no need for the parties to reach agreement as long as there has been genuine consultation with a view to reaching agreement. To satisfy this criterion the host Force will need to demonstrate that they have listened and responded to the views and suggestions raised. More detail is provided in the paragraph below.

## 4.2 Formal Collective Consultation

The nature of the formal collective consultation means that it is likely to take place over a number of weeks. Any implementation plan must ensure appropriate time is allowed for meaningful consultation and the HR Change Team will advise on this. The timescale will vary dependent upon the impact of the proposed changes on police officers. Informal engagement of the staff association representatives during the preparation of the detailed business case is useful in considering their views and ideas early in the change process and will pay dividends during the formal consultation process.

For the consultation process to be genuine and meaningful, it must be undertaken by the host Force with a view to reaching agreement with appropriate representatives on the relevant issues. This means allowing enough time to discuss issues at a formative stage. The following should apply:

- Proposals are submitted to meetings sufficiently in advance that they can be considered by representatives
- Alternative proposals and suggestions from the staff associations are considered
- Responses to alternative proposals and suggestions are provided in writing.

## 4.3 Collective Consultation with Affected Officers

We will share proposed new structures with affected officers through group presentations in order to seek their feedback on alternative proposals and consider their ideas. This is in addition to and in advance of the individual consultation process described in 5.4.6. This group consultation with affected officers will take place following Alliance Executive Board consideration of the proposals and only once initial implementation planning has been completed.

Affected officers will be informed of any proposed alliance posting to a host Force during formal consultation. The host Force for that team or department will be confirmed.

## 4.4 Group Announcement to Affected Officers Following Consultation

Following the closure of formal consultation and once the Programme has agreed that a particular department can proceed to implementing their proposals the new structure is 'locked down'.

At this point, affected officers will receive an email response to the formal consultation. This precedes the application of the selection processes specified in the paragraph below.

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## 4.5 Selection of officers through implementation of a Strategic Alliance business case

Where there is a reduction in the number of posts of a particular type within a function, a 'closed pool' approach will be adopted whereby only officers currently working in that 'pool' are considered for the available posts in the first instance. This process will apply to all police officers within the scope of the team or department which is being restructured as part of the Strategic Alliance between Devon & Cornwall Police and Dorset Police.

Similar to police staff, the intention is to place as many officers as possible into roles similar to their current ones. The specific selection process that will apply is outlined in Appendix D.

Decision-making criteria would be applied in the following priority order:

- **Public** – e.g. a need to retain a particular officer in order to best meet the needs of the community.
- **Organisation** – e.g. an officer possesses particular skills which need to be retained in the team / shift, for example, an officer is able to fill gaps elsewhere (based on skills, home address)
- **Individual** – e.g. personal circumstances that should be taken into consideration, including personal preference to stay or to move.

Where there are 'new' jobs in the structure, a determination will be made at the time by the HR Change Team in consultation with the line-manager and staff association representative whether an 'open' process to the wider force will be adopted or if the displaced officers can be offered the roles. This approach may be appropriate when the roles are determined as substantially unchanged and the officer meets the minimum requirements of the role.

'New' is defined as a role which has not featured before in the structure. A pragmatic approach will be applied taking into account the need to maintain operational capability. This will require an advert requiring an expression of interest or a full application, with an appropriate selection process pre-agreed between the Business Lead, HR Change Team and staff association representative.

Selection decisions will be made by Senior Management Teams (delegated by the Business Lead) for the federated ranks and by the Deputy Chief Constables for the superintending ranks. This will be in liaison with the HR Change Team. The processes will follow the same principles as the federated ranks, even though the decision makers are different.

Officers whom are not selected will be redeployed within their **Home Force** according to that Force's existing policy and process and will be placed into the displaced officer pool.

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## 4.6 Individual Consultation

One of the main purposes of individual consultation is to discuss the application of the selection criteria to the individual concerned. Affected police officers should be given a fair chance to explain any factors which may influence the decision to select him or her into a position.

The individual consultation process has been designed with some flexibility such that face to face consultation meetings are only mandated where the situation for individuals is unclear and could eventually result in a displacement.

It is very important that police officers away on maternity leave, long term sick, etc. are fairly considered for roles in the new structure and are consulted with appropriately via their line-manager.

## 4.7 Special Circumstances

### (a) Absent Police Officers

Police officers whom are not attending work for any reason will be considered on the same fair and objective basis for new roles as their colleagues. This could include individuals on maternity leave, long term sick leave, etc. and it is appropriate to reasonably adjust the selection process or timing to seek to accommodate their personal circumstances where possible. The relevant line-manager must communicate regularly and appropriately with such individuals and should involve the HR Change Team where required.

### (b) Flexible Working

The Strategic Alliance is committed to supporting flexible working and managers must ensure that individuals are not excluded for a role on the basis of their current work pattern, as this may constitute direct or indirect discrimination.

Where a role is currently performed on a part-time or non-standard working arrangement, it would be very hard to justify why this could not continue if the role remains substantially unchanged. However, where a new role becomes available, the business as usual process applies whereby an application to undertake that role flexibly must be submitted in writing by the potential incumbent in accordance with the host force's process.

### (c) The Importance of Documentation

It is essential that key decisions and supporting rationale are recorded as we undertake organisational restructures. Any documentation could be called upon to defend allegations made as part of an internal grievance or an Employment

Tribunal. The HR Change Team will advise you on the template letters and forms that need to be used in support of each of the individual consultations. In Dorset, the HRCF will complete and retain this documentation. In Devon & Cornwall, advice will be provided to managers on the retention of documentation.

## **5. Immediate proposed changes to the Forces' Officer posting, selection and policies and procedures (not directly connected to an Alliance restructure)**

The following proposals are necessary for the Forces' to continue to operate and to account for a new organisational design that includes alliance functions, which include officers from both Forces. These will ensure equality of opportunity across the forces and will become an addendum to existing officer selection and promotion policies until those are harmonised.

### **5.1 Officer Selection**

At the present time it is acknowledged that each Force has similar policies and procedures in relation to selection, posting and the promotion of police officers. These policies have been developed based upon College of Policing Guidance and best practice.

However, interpretation of guidance and preferred organisational style has led to local variation. Furthermore, differences apply in each Force as to how these are procedurally managed, including levels of delegated authority in some cases. The following arrangements will apply until harmonisation of policies linked to one workforce plan can be achieved:

Similar to police staff, the Forces will introduce process for managing vacant posts across both Forces. This will require an initial assessment of the criticality of the vacant post and, if approved, steps will be followed to fill the vacancy to ensure that wider organisational objectives are not compromised.

Critical posts are those which are essential for operational effectiveness or service provision and confirmed as unequivocally appearing in the new proposed structure in sufficient numbers by the relevant Business Change Manager and a process will be developed to enable that to take place through the HR Change implementation team.

Once authorisation has been given any vacancy will usually follow the stages below. This process will ensure that the organisation is able to meet its legal obligation in relation to equality and also ensures that consideration of displaced officers takes place. Below are the relevant stages that will apply to officer selection from the ranks of Constable to Chief Superintendent.



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## (a) Constable posts

The steps, in sequential order, each one started only if preceding process is unsuccessful in filling the vacancy:-

### a. Displaced officer pool (across both Forces)

(e.g. Limited duties officers, those with reasonable adjustments on disability grounds, organisational need, 'supernumerary officers, postings required due to disciplinary issues, return from secondment/ELB and officers displaced due to an organisational restructure)

This will be managed and overseen by the HR Change Team in liaison with relevant business leads. Officers will need to meet the minimum skills requirement for a role.

Any preferences indicated for roles or location will be considered, ahead of business as usual posting decisions for displaced officers, subject to business need. Once displaced officers have been posted to their new position, whether the preferences indicated could be met or not, any priority they have received as a displaced officer will cease.

### b. Existing Force procedures – local selection/lateral move (if applicable)

Both forces hold existing policies that permit the movement or local selection of officers in certain cases within their own Command areas. These will still apply. However, to avoid any officer being disadvantaged this selection will include officers who are seconded to the relevant Strategic Alliance area.

### c. Advert across both Forces

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If an officer applies for a post that is different than their appointing Force then they will formally transfer to the new Force as a transferee.

In the case of any temporary posts or promotions this will be a traditional secondment and on the basis of the terms of the Host Force.

If an officer applies for a post within an alliance function and that function is hosted by a Force that is different than their appointing force they will be '*alliance posted*' to the Host Force.

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### d. Consider whether the Force wishes to open on a national basis for a transferee opportunity

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*NB: Each Chief Constable reserves the right to post their officers (all ranks) in accordance with existing policies and Regulations.*

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## b) Sergeant to Chief Inspector ranks

The steps, in sequential order, each one started only if preceding process is unsuccessful in filling the vacancy:-

### a. Displaced officer pool (across both Forces)

Limited Duties officers, those with reasonable adjustments on disability grounds, organisational need, 'supernumerary officers, postings required due to disciplinary issues, return from secondment/ELB/Career break and officers displaced due to an organisational restructure

This will be managed and overseen by the HR Change implementation Team in liaison with relevant business leads. Officers will need to meet the minimum skills requirement for a role.

### b. Operational Workforce Planning Board/Workforce Planning Meeting across both Forces to substantive ranks

New vacancies for established posts will be filled via the Operational Workforce Planning Board /workforce planning meeting for Officers within the Force where that vacancy is based. For any exceptions to this approach, advice will be provided by the HR Change Team as to the relevant process to be undertaken.

A determination will take place as to whether there is any operational or organisational need for roles to be based in particular county or geographic area; to prevent any unnecessary requirement to post across boundaries or exclusion of officers.

**When there is early implementation of alliance structures that include management roles that sit across both Forces a new combined posting panel will be required in order to continue to provide a holistic approach and to ensure that equality of opportunity and talent management is not impeded. This will need to be developed in the forthcoming months.**

*\*NB:- Refer to alliance posting/transferee/secondment section held within the guidance*

### c. Promotion pools (across both Forces)

Before promotion boards are held in each Force, the workforce planning requirements will determine the numbers that will be 'selected for promotion' at the boards.

Posting on promotion will be based on an agreed set of posting principles which are to be developed, these include consideration of travel time from home to base,

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skills, training, experience required for the post and roles that are agreed as suitable for NPPF promotion rather than their Board score. Consideration will take place at the relevant Postings panel as to the officers to be promoted.

If an officer applies for a post that is different than their appointing Force then they will formally transfer to the new Force as a transferee.

In the case of any temporary posts or promotions this will be a traditional secondment and on the basis of the terms of the Host Force. If an officer's temporary promotion is related to a work based assessment and if that should not prove successful then the secondment may be cancelled.

If an officer applies for a promotion within an alliance function and that function is hosted by a Force that is different than their appointing Force they will be '*alliance posted*' to the Host Force.

*\*NB:- Refer to alliance posting/transferee and secondment section held within the guidance*

**d. Consider whether the Force wishes to open on a national basis for a transferee opportunity**

*NB: Each Chief Constable reserves the right to post their officers (all ranks) in accordance with existing policies and Regulations.*

**Ranks of Superintendent and above**

The Chief Officer Teams will determine, in consultation with HR and the Superintendents' Association, as appropriate, the selection processes and subsequent postings that will be undertaken in relation to such ranks. Given that the Forces will be sharing joint command, the Deputy Chief Constables (or relevant delegated individuals) will jointly agree the stance for each role.

Any selection process will account for the existing force policies and processes and will be mindful of our ensuring equality of opportunity across both Forces. A justified rationale will be available where required that will support decisions made.

A determination will take place as to whether there is any operational or organisational need for roles to be based in particular county or geographic area; to prevent any unnecessary requirement to post across boundaries or exclusion of officers.

The Selection of officers' guidance will also apply for superintending ranks through implementation of a Strategic Alliance business case.

Each Chief Constable reserves the right to post their officers (all ranks) in accordance with existing policies and Regulations.

## 5.2 Postings, relocation and excess travel

Officers will not usually be posted outside of their Home Force boundaries whilst posted to an alliance function, unless that is on a voluntary basis. A determination will take place as to whether there is any operational or organisational need for roles to be based in particular county or geographic area; to prevent any unnecessary requirement to post across boundaries. In any exceptional cases that this is required, consultation will take place and any request will be reasonable, proportionate, with due consideration to an individuals' circumstances, the home Force travel policies and the post will only be within the officers alliance business area.

All postings will be managed within Police Regulations and within each Force's existing policy and process. Each Force's posting policy has a process which will remain available to officers who wish to appeal against any posting.

Each Chief Constable, under Police Regulations, reserves the right to post their officers within their own Force area in accordance with existing policies and Regulations. In the case of Devon and Cornwall the Force policy aims to make every effort to post an officer within 30 miles or less from their home address in the case of compulsory postings. In Dorset Police the Force retains the right to post within the force area to meet the needs of the service.

Relocation in the form of funded house moves will only be provided on an exceptional basis. Any exceptions would require specific advance approval from the relevant Director of Finance and HR Director.

The reimbursement of excess travel will be managed within Police Regulations and within each Force's existing policy and process.

## 5.3 Promotion Boards

Until such time as the force has harmonised promotion policies and is able to align its workforce planning to accurately understand its demand and if that can be met from a joint processes across two Forces, separate promotion boards will continue.

Opportunities for promotion at all ranks will be open to officers from both Forces.

The following principles will apply to the various scenarios, which will take into account the alliance:-

- When an officer applies and is successful for promotion to a Force that is different to their appointing Force, they will transfer to the other Force upon promotion as a transferee\*. If an officer fails their work based assessment they

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will revert to their substantive rank and would normally return to the force they transferred from.

- When an officer applies and is successful for a temporary promotion to a Force that is different than their appointing Force this will be a traditional secondment\*
- When an officer is appointed to a promotion opportunity (temporary or permanent) within an alliance function and that function is hosted by a Force that is different than their appointing Force they will be '*alliance posted*' \*\* to the Host Force.

\*Refer to Paragraph 5.9 for further information

\*\* Refer to Paragraph 5.1 for further information

Any pre-requisites that are specific to the Force (such as demonstration of ability to swim etc.) will normally be specified within the advert to ensure clarity for officers.

#### **5.4 Transferees – officers that apply for a role/promotion in a Force that is different than their appointing Force**

When officers voluntarily apply for a post that is within a Force that is different to their appointing Force, they will transfer to the other Force upon appointment as a transferee. As previously mentioned, this also applies for promotions.

HR will make the arrangements to transfer the personal record to the relevant Force. In the interests of efficiency, reducing bureaucracy and unnecessary expenditure, it is proposed that officers who transfer to another Force will retain their existing collar number. Consideration will take place as to whether elements of uniform or a new uniform is required, particularly relevant where officers will be public facing and geographically located. It is anticipated that in the longer term harmonisation of uniform may take place.

There is a requirement to re-attest officers who transfer from one force to another. However the attestation form will be harmonised to avoid this being a longer term requirement. Thus, any officer that joins Dorset or Devon and Cornwall Police Force post 1 January 2016 and transfers to a Force different to than their appointing Force will not require re-attestation.

It is acknowledged that the Forces' vetting arrangements, uniform, pre-requisites such as 'demonstration of ability to swim' are different. (This list is not exhaustive) Any requirements will be specified within the relevant Force advert or preference/selection process. These will be in accordance with the Host Force policies and will be in place until harmonisation takes place.

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## **5.5 Traditional Secondments – Officers that apply for temporary roles or temporary promotion in a Force that is different than their appointing Force**

In situations when an officer applies for a temporary post or a temporary promotion that is within a Force that is different than their appointing Force this will be on the basis of a traditional secondment. The secondment will be on the terms of the relevant Force, and regulations. As is the case for any pre-requisites, the terms of the secondment will be stipulated in any advert and will be confirmed in writing to the officer.

Secondments will usually have a specified end date or term and at the end of the secondment the officer will return to their home Force.

Secondments will be supported by the below guidance and officers will sign an agreement to the terms in the normal manner. [Guidance on Police Officer and Police Staff Secondments](#)

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## APPENDIX D- ALLIANCE POLICE OFFICER SELECTION PROCESS

### INTRODUCTION

In each detailed business case there will be a restructure of the department or unit/team concerned. In some cases this could lead to a reduction in numbers of officers required to undertake roles within the department or unit/team within the alliance setting. Where this happens the aim will be to reduce the number of officers in a sensitive way taking into account the needs of the officers and the priorities set by the Chief Constable of the Host Force.

The HR Change Team will agree with the line manager of the department or unit/team the closed pool of officers from which a selection process will take place in consultation with the Police Federation and Superintendents' Association as required.

### SELECTION PROCESS

Account will be taken of the following factors in the pooling process:

1. Business requirements
2. Business continuity
3. Diversity and equality – including relevant personal issues, reasonable adjustments required in the role and any flexible working patterns
4. Home location and travel for the officers concerned
5. Minimising disruption
6. Making the best use of skills and expertise

The steps taken will be to:

1. Decide on the pooling in consultation with staff associations, as required.
2. Officers in roles that are unchanged or substantially unchanged will remain in their current posting unless a selection exercise is required due to a reduction in numbers within the new structure.
3. Where a selection exercise is required those officers affected are invited to a one to one consultation meeting with a line manager/HRCT. The meeting would make them aware of a preference exercise that may be used where other roles are available in the same team/unit. A preference exercise may be used to seek volunteers for other roles. If the preference exercise results in the required reduction in numbers no further process is required.
4. Where a selection process is required this will be evidence based including due consideration of diversity and equality. When appropriate the selection process can be a paper based exercise, interviews may be required if this

does not result in the required reduction. When a paper based exercise is being carried out an invite should go to the Police Federation or Superintendents' Association to observe the process. The selection should not be delayed if a representative is not available.

## PREFERENCE EXERCISE

When a reduction in the numbers of officers within an alliance unit/team is required as part of a restructure, those officers will be placed in a closed pool and asked to submit a preference either to remain in their current role and location or for an alternative posting. The preference exercise should be adapted to fit the circumstances, but may include the following options:-

- Remain on their current posting within the Alliance at their current location
- Take part in selection exercise for their current role within the Alliance at an alternative location
- To be considered for a current vacant post in their home Force (to be identified by the officer concerned)
- Be placed in the displaced officers pool with a preference stated for their preferred option

## SELECTION PROCESS TO BE UNDERTAKEN

If following the review of the preferences, there is still a need to reduce the number of officers within the closed pool, police officers will be required to participate in an assessment. The assessment could be as simple as a paper based exercise such as an expression of interest or may require a more formal interview process, in consultation with the Police Federation/Superintendents' Association.

Any assessment will be carried out by the line manager of the alliance unit/team and an HR representative. The assessment will be role specific and agreed in consultation with the staff associations as relevant.

If selection is a paper based exercise, the Police Federation or Superintendents' Association representative should be invited to observe. If no representative is available, the process should not be delayed from going ahead.

Officers should inform the HR Change Team if they require any reasonable adjustments to be considered when going through this process.

## OUTCOME OF THE SELECTION PROCESS

Officers will be informed of the outcome of any selection process in writing. Officers who have not been selected for the role will be placed on the displaced officer list and the home Force will make steps to provide the officer with an alternative posting in accordance with their home Force process. Officers who have been selected will have their alliance posting confirmed when applicable.



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## ALLOWANCES, TRAVEL AND OTHER OFFICER TERMS

All other conditions of service remain unchanged and are in accordance with the Officer's home Force.

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## APPENDIX E - STRATEGIC ALLIANCE CHANGE PROGRAMME DEVON AND CORNWALL AND DORSET POLICE

Changes are necessary to ensure that we deliver an affordable and appropriate policing service to meet policing demands now and in the future. Devon & Cornwall Police and Dorset Police determined that a Strategic Alliance would be an appropriate way forward to deliver a resilient policing service in the face of reduced funding. Working together, it is important to identify new and innovative ways of doing our business.

### BACKGROUND

The overarching strategy and purpose of the Strategic Alliance Programme is to:

- Protect ongoing service delivery to the public
- Ensure delivery against the PCCs' Police and Crime Plans
- Retain a local policing service/approach
- Increase resilience around our Strategic Policing Requirement
- Maximise value for money
- Achieve cost reduction
- Maximise opportunities for the ongoing personal/professional development of our staff

Within this context, the HR Guiding Principles of the Strategic Alliance Programme are as follows:

- Local policing delivery will remain at the heart of everything we do to maintain public trust and confidence.
- All other services should be integrated and delivered jointly through a single team and streamlined management structure, unless proven inefficient or ineffective to do so.
- Single delivery units responsible for shared services across the two Forces will be co-located where practicable.
- Our ambition should not be limited by geography of a previous approach and should focus on continuous improvement.
- There is a long term ambition for total convergence of all ICT systems.
- We work as equal partners to find new solutions to our policing needs, whilst retaining separate identities.
- Retain the independence of the four separate corporation soles, i.e. the two Chief Constables and the two Police and Crime Commissioners who are individually accountable to their local communities.
- The Strategic Alliance will not prevent both Forces continuing to explore other collaborative opportunities.
- The decision on the preferred way forward for each business area will not be made until the respective detailed business case has been approved.
- Full engagement with the trade unions and staff associations and a commitment to consultation with staff will be a priority for the Programme.

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Whilst the term 'Alliance' covers Devon & Cornwall Police and Dorset Police, both Forces remain as entirely separate employment establishments.

Please see the Strategic Alliance Change Roadmap at the end of this appendix for a depiction of the phases an Alliance business case will progress through.

## **ALLIANCE EMPLOYMENT MODEL**

The employment model for joint teams under the Strategic Alliance is 'host Force with lead employer'.

The term 'host' is important as it describes an arrangement whereby the service is delivered by one Force on behalf of both, with the relevant Department Head essentially being jointly accountable to both Chief Officer Groups for provision of the service and providing day to day direction and control.

The proposal for who should be the host Force for a given function will be made as part of each detailed business case and approved by the Alliance Executive Board. Once that initial approval has been given and implementation planning completed, this information will be communicated to relevant officers and staff as part of the formal consultation process. Overall, the aim will be to maintain the same proportionate split of people working for both Forces.

## **TUPE**

Police staff not already employed by the relevant host Force for their particular function will have their employment transferred, prior to implementation of any restructuring. The transfer process will follow the principles laid down by the "Transfer of Undertakings (Protection of Employment) Regulations 2006" as amended, often referred to as TUPE.

These rules apply to organisations of all sizes and protect employees' contractual and statutory rights when there is a relevant transfer to a new employer. This means that when an individual transfers under TUPE the terms of their existing contract of employment transfers with them and continuity of employment is maintained.

Any TUPE transfer of staff (if applicable), will have occurred prior to any restructuring and any redundancies will not occur directly as a result of the transfer. It is important that any redundancies that follow a TUPE transfer have economic, technical or organisational (ETO) reasons that are fully documented.

Under TUPE regulations protection arrangements will apply in relation to all contractual pay, benefits, terms, conditions and policies of the individual's original employing Force/organisation as set out in the TUPE transfer letter issued prior to transfer. This will continue to apply in the circumstance where a role is deemed unchanged or substantially unchanged.

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TUPE protections apply until such time as an individual is appointed to a new role (either through redeployment or application) or the employer seeks a variation to the transferring employee's contract of employment for an ETO (economic, technological or organisational) reason. Where any variation of terms and conditions is sought, consultation will take place with the relevant trade unions.

As police officers are servants of the Crown rather than employees, they are not covered by TUPE. Where the Force to which a function transfers is different to a police officer's appointing Force, such officers will normally be posted on a voluntary basis to the host Force. These will be referred to as Alliance Postings. Officers will remain in the service of their existing Force. Further guidance on Alliance posting of officers is provided in Appendix C.

A TUPE guide has been created to assist staff in understanding the TUPE process in more detail when it applies to a change process, and this is available on SharePoint in both Forces.

### **JOB EVALUATION**

The host force for each business area will determine the grading of police staff roles within the new Alliance department structure. Checking that Alliance roles are graded appropriately is part of the stage three planning phase of the Alliance process which includes engagement and consultation with trade union and staff association reps.

Those police staff colleagues who have TUPE transferred and then, as a result of Alliance restructure, are placed into existing or substantially unchanged roles will have their existing terms and conditions protected. Others who accept new or suitable alternative roles will be appointed on the host force terms and conditions offered for that role.

Any roles which are advertised will be advertised on the terms and conditions of the host force.

**STRATEGIC ALLIANCE CHANGE ROADMAP**



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## APPENDIX F – BUSINESS AS USUAL CHANGE - DEVON & CORNWALL AND DORSET POLICE

Changes are necessary to ensure that Devon & Cornwall and Dorset police continue to deliver an affordable and appropriate policing service to meet policing demands now and in the future.

### Background

The HR guiding principles of Management of Change will apply, as appropriate, in all change scenarios within the two Forces with the appropriate HR Specialists supporting line managers as required.

The Organisational Design and Establishment Framework forms part of Devon and Cornwall and Dorset Police Corporate Governance and is endorsed by the Executive across both forces through the Workforce PRISM Board.

Forming an element of the workforce planning cycle and governance, this process is essential in order to ensure that Devon & Cornwall Police and Dorset Police are able to maintain an accurate organisational design, which may alter as part of an annual review of demand or emerging/immediate demand.

### Governance

There are three levels of change to design described in the framework which can be accessed via [Organisational Development – Design Governance \(link\)](#)

The level that a proposed change comes under will determine which team within People Department will provide HR support:

#### Level 1/2 - HR Operations

This may include, but is not limited to:

- Grading and pay evaluations;
- Small scale/operational changes – e.g. minor numbers around relocations agreed at local level; contract variations such as shift patterns, flexible working;
- Harmonisation of terms and conditions of employment.

A business case may be required and the necessary approval obtained by the relevant Business Lead, Commander and relevant governance forum for the proposed change.

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## Level 2/3 – HR Change Team

A business case will be required detailing the appropriate financial and Executive sign off for any proposals. An HR Change Officer will be appointed to work with the relevant stakeholder(s) and any change will be progressed in line with the principles of the Management of Change guide.

### **Job Evaluation**

Each Force will evaluate Police Staff roles using their own grading and pay system. In Devon & Cornwall the SERCO job evaluation process will apply; in Dorset the HAY job evaluation process will apply.

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## APPENDIX G– REGIONAL COLLABORATION

Dorset Police and Devon and Cornwall Police are part of the South West Police Collaboration Programme.

### BACKGROUND

The South West police region covers five forces, Gloucestershire, Wiltshire, Avon & Somerset, Devon & Cornwall, and Dorset.

The current collaborative arrangements between forces have evolved over time, and exist at a variety of different levels. There are strategic alliances (which are outside the scope of this paper) between Devon & Cornwall and Dorset, and Wiltshire and Avon & Somerset, as well as three, four and five force collaborations.

The South West Police Collaboration Programme Board brings together, directs and co-ordinates a diverse range of regional collaboration projects involving police forces. By bringing these together in service planning and delivery, the Programme ensures our approach is as cost effective as possible and anchored in benefits for and service to the public. It is a decision making board and includes representatives from forces and offices of police and crime commissioners across the region. It reports to the South West Police Collaboration Commissioning Board which comprises of each Police and Crime Commissioner, Chief Constable and Office of the Police and Crime Commissioner (OPCC) Chief Executive in the region.

“Making the South West safer and increasing public confidence in policing by collaborating, so that individually and collectively we become even more efficient and effective”

### ROCU

The South West regional organised crime unit is known as Zephyr, and is one of nine ROCUs in England and Wales. It was established in 2010 to identify, disrupt and dismantle organised crime groups impacting on the South West. The unit brings additional specialist capability across the region through effective partnership and collaboration to make the area a place hostile to organised crime.

It brings together the capability and funding to gather intelligence, tackle serious and organised crime networks and seize the assets of the criminals involved.

Its vision is to protect the communities within the South West from serious and organised crime. To achieve this, the unit consists of a number of specialists, along with embedded partners from the National Crime Agency, Her Majesty’s Revenue and Customs, the United Kingdom Border Force, the National Offender Management Service and the Crown Prosecution Service.

Specialist areas include: - Regional Intelligence Unit, Regional Prison Intelligence Unit, Operations Team, Regional Asset Recovery Team, Regional Fraud Team,



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Regional Cyber Crime Unit, Government Agencies Intelligence Network, Protected Persons Service, and Regional Child Sexual Exploitation.

## Regional Forensics

The South West forensics collaboration has brought together the forensic services and staff across Avon & Somerset, Devon & Cornwall, Wiltshire, and Dorset police forces. The collaboration is being delivered in a staged three phased approach, commencing in October 2014, with the final phase going live in January 2016. The collaboration includes - Identification Services, Digital Forensics and Crime Scene Investigation. There are forensic laboratories and fingerprint bureaux located in Devon & Cornwall and Avon & Somerset, and each force has a submission unit, a Hi-Tech Crime Unit and a Digital Video Unit. There is also a central imaging hub located in Devon & Cornwall. Crime Scene Investigators operate in each force area. Work is ongoing to explore opportunities to further enhance the collaborations efficiencies and interoperability.

## Special Branch

A four force special branch collaboration providing a specialist capability to maintain national security across the region

The Forces in each collaboration which we are currently part of vary as follows:

**South West Regional Forensics Collaboration** is between Devon and Cornwall Police, Dorset Police, Avon and Somerset Constabulary and Wiltshire Police.

**South West Regional ROCU** is between Devon and Cornwall Police, Dorset Police, Avon and Somerset Constabulary, Gloucestershire Constabulary and Wiltshire Police.

**Special Branch Collaboration** is between Wiltshire, Avon & Somerset, Devon & Cornwall, and Dorset

Please note that there are other collaborations within the South West Region that are ongoing however Dorset Police, Devon and Cornwall Police are currently not part this.

## REGIONAL EMPLOYMENT MODEL

The employment model for Regional Collaboration has been set up legally under the Joint Services Agreement (JSA) and therefore all staff within the collaborations remain on the home force's T & C's. A JSA is established via a Section 22a agreement/memorandum of Operation between two or more participating Forces for the provision of services. Employment Contracts remain with the originating Forces.

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The Section 22a is discussed and agreed by the relevant PCC's and Chief Constables of each Force.

## **JOB EVALUATION**

Each Force will evaluate every Police Staff role within a collaboration using their own job evaluation system. An agreed role requirements list is provided by the Project Board and this is then transferred into each Force's job evaluation application.

Within Dorset the roles will be evaluated using the Hay job evaluation process and within Devon and Cornwall the roles will be evaluated using the Serco job evaluation process.

## **RECRUITMENT**

Any roles within the collaboration area will be on the terms and conditions of each Force and will be advertised in all Forces that form part of the collaboration e.g. if the role is based in Avon and Somerset then the role will be advertised in Dorset on the Dorset T & C's. Due to the employment model in place you will see the same role advertised across both Dorset and Devon and Cornwall on each separate Forces pay.

Currently Devon and Cornwall coordinate the recruitment process for SW Forensics and Avon and Somerset coordinate the recruitment process for SW ROCU.

The successful applicant will be appointed on the T & C's of their current Force regardless of where the vacancy sits.



# APPENDIX H- CHANGE ROADMAP

## Change Roadmap

