

Committee:	Administration and Regulation Committee			
Date of Meeting:	16 December 2020			
Subject:	Provider Services, Adult Social Care Public Health and Wellbeing			
Report Author:	The Service Director, Adult Social care			
Contact Officer:	Catherine Dhokia			
Implications:	Legal	<input checked="" type="checkbox"/>	Community Safety	<input type="checkbox"/>
	Equalities	<input checked="" type="checkbox"/>	Environment	<input type="checkbox"/>
	Financial	<input checked="" type="checkbox"/>	Consultations	<input checked="" type="checkbox"/>
	Staffing	<input checked="" type="checkbox"/>	Other	<input type="checkbox"/>
Wards Affected:	Click here to enter text.			

Purpose

1. The purpose of this Report is to seek the approval of Administration and Regulation Committee for the proposed changes to the staffing structure of Provider Services that includes the subsequent post deletions and creations within the Service.

Recommendations

2. **The Committee to agree the staffing restructure and changes to the operating model for Provider Services. An organisational change assessment (OCA) process was carried out following a comprehensive review of all services.**
3. **The proposal is to align the services under one manager, which aims to provide better strategic, systems oversight and leadership. The proposed restructure includes deletion of some posts, creation of new posts that will improve the career pathway for staff, enabling the Council to develop skills to underpin succession planning.**
4. **The restructure will also deliver £1.4M of savings contributing to the savings target for ASC as part of the wider corporate saving programme**

BACKGROUND

5. The council is facing a devastating projected shortfall in its finances this year which was further compounded by the Covid - 19 pandemic. The emergency budget agreed by members requires Adult Social Care (ASC) to contribute saves of £4.5M over the next 2 financial years; Provider Services contribution of that is £1.17M. The savings proposals are required to drive efficiencies with the objective of services remaining open to meet the demands of the people of Luton, where possible to do and to meet our statutory obligations under the Care Act.
6. The service operated in an environment which gave rise to silo working primarily because of the disparate management structure.

7. Extra Care –Our review identified opportunities for re-modelling the service to be more efficient and effective. The service currently operates with approximately 300 hours a week of surplus hours, mainly due to staff down time.
8. Reablement – is a central plank to the NHS long term plan and supports mainly people being discharged from hospital. Reablement flats have displayed peaks and troughs in demand
9. Supported Living – our review shows it is overall effective and efficient; however, there is an opportunity to further improve the staffing structure.
10. Respite & Shared Lives – this is also operating well, however we are taking the opportunity to review the staffing structure to further increase productivity.
11. Learning Disabilities Day Care –This service is effective in supporting individuals and families. However, it is currently operating with numerous vacancies, which has compromised our ability for even better outcomes.
12. Older Persons Day Care –Due to a constant reduction in demand for older person's day care provision (pre-covid) the proposal is to change the current staffing model to reflect the current reality. Current statistics (pre-covid) shows a decline in the region of 25 % in most centres' average daily attendance.

Proposals

13. A review was undertaken of each service to identify efficiencies and the findings can be summarised as follows:
14. Senior Management Changes –bring all ASC provider services under a single management structure - 1 Service Manager. Aligning the services under one manager will provide for better strategic, systems oversight and leadership including new models of working, building volunteering capacity, income generation etc.
15. Middle Management Changes – the current structure comprises six separate services and the proposal is to condense into three services where there are natural synergies. This would enable services to be more efficient in terms of utilising resources more flexibly thus improving productivity and the quality of service delivery.
16. Implement the following combinations of Services:
 - i. Support To Age Well will incorporate Extra Care and Reablement
 - ii. Support to Live Well will incorporate Supported Living , Respite and Shared Lives
 - iii. Day Opportunities will incorporate Learning Disabilities Day Care and Older Persons Day Care
17. To harmonise job descriptions across the middle management tier to ensure there is greater equity across management grades that currently range from M2 to M4 for similar jobs.
18. Create three M1 Deputy Manager posts, which will function across the service locations to strengthen the leadership structure, supporting with strategic aims and operational matters.

19. Extra Care - Remodel the rota and reduce staffing from 33.66 to 23.24 FTE. There are currently 3.19 vacancies FTE, therefore 7.23 FTE posts (L2) would be subject to potential redundancy. This is mitigated by vacancies across Provider Services for L3 and L2 posts. The service will be merged with Reablement and become the Support to Age Well service. This will enable the team to provide more holistic care and support to our services users as well as create the opportunity for staff to work cross functionally which has the added benefit for career development and upskilling of the workforce.
20. Reablement flats have displayed peaks and troughs in demand and the proposal is to reduce from 6 to 3. The service is currently operating with 24.73 (L3) vacancies that have existed for some time. We are proposing to delete 12 FTE posts and retain 12.73 FTE as contingency – 5 FTE to accommodate fluctuations in demand or demand increasing and 7.73 FTE to support the Side by Side programme being implemented in parallel to support the over-all service improvement delivery drive. The proposal is to also delete the Senior Reablement Coordinators role which is mitigated by the creation of the Deputy Manager post who will work in the Support to Age Well service which combines Extra Care and Reablement services as referenced in point 8
21. Supported Living - remove one L6 post that will be mitigated by creating a Deputy Manager post that functions across the service locations. We are also proposing to upgrade eight L3 posts to L4 senior roles which L3 staff can apply for to improve the operating model. The service will be combined with Respite and Shared Lives and become Support to Live Well
22. Respite and Shared Lives - reduction of one Senior Worker (L6) and creating two L4 posts. As referenced in point 10 the service will be combined with Supported Living and become Support to Live Well. This will enable the service to operate more efficiently by sharing resource and providing a better pathway for carers and people in terms of long term planning. The aim is to improve the support for people through the transition pathway to adulthood
23. Learning Disabilities Day Care –The service is currently operating with 19 FTE vacancies, 10.5 will be recruited to immediately and 8.5 FTE will be used to extend the service to include weekends and late nights in order to manage future respite demand. The proposal is to reduce Senior Workers from 5 to 3 FTE and to delete the Service Co-ordinator post, creating the 1 Deputy Manager post to ensure transition to adulthood is as seamless and frictionless as possible. The service will be combined with Older Persons day care and become the Day Opportunities service
24. Older Persons Day Care –reduction of two Catering officers L2, two Team Leaders L6, one Senior Day care officer L4 and two Domestic Assistants at L1b. There are comparable vacancies in our Learning Disabilities service, which staff will be, encouraged to apply for to reduce the number of job losses. As referenced in point 12 the service will be combined with Learning Disability day care which will focus on community and cross generational integration which will broaden and improve our offer for Older People
25. During consultation period, as a result of feedback, comments, and concerns raised, an alternative proposal for an additional M1 Deputy Manager in the Support to Live Well service was suggested. Serious and due consideration was given to this proposal and an addendum was made to the OCA on 2.11.20 changing the structure to include an additional M1 Deputy Post for the Support to Live Service. The new job description was

circulated for comments however there was no extension to the consultation period given that there was still sufficient time until consultation ended on 18th November.

Justification for the proposal

26. We believe the proposals to the structure provides a solid foundation on which to build a strong work culture where staff feel connected to the business with good open communication and information flow at all levels. Where staff will work in a way which puts greater emphasis on team working, cross functional working and career development. The service will have better opportunities for career progression which will enable us to upskill and retain staff.
27. Align all provider services responsibility and accountability under 1 Service Manager.
28. Combine services where there are natural synergies from 6 to 3 and harmonise the job description and grade for all registered/non registered managers practicing in Provider Services, indicative M3.
29. Remodel the staffing structure with the deletion and creation of some posts to ensure effective service provision for the future. The proposals consulted on were to make changes to the staffing structure of the Provider Services and would involve the deletion of 43 current posts, (17.69 of which are vacant) and the creation of 18 new posts.
30. It is proposed to create the following posts:

Posts to be created		
Post title	Grade	FTE
Service Manager Provider Services	M8	1.0
Provider Services Resource Manager	M5	1.0
Support to Age Well Manager	M3	1.0
Support to Live Well Manager	M3	1.0
Day Opportunities Manager	M3	1.0
Deputy Manager Day Opportunities	M1	1.0
Deputy Manager Age Well	M1	1.0
Deputy Manager Support to Live Well	M1	1.0
Senior Support Worker	L4	10
Total		18

31. It is proposed to delete the following posts:

Post title	Grade	FTE	Headcount	Vacant
Service Manager Support at Home	M7	1.0	1.0	1.0
Resource Manager – Learning Disabilities	M5	1.0	1.0	0
Supported Living Manager	M2	1.0	1.0	0
Respite & Shared Lives Manager	M3	1.0	1.0	0
Extra Care Manager	M4	1.0	1.0	0
Reablement Manager	M4	1.0	1.0	0

Operations Manager Community Choices	M2	1.0	1.0	
Older People Day Care Manager	M3	1.0	1.0	1.0
Learning Disability Service Coordinator	L6	1.0	1.0	0
Senior Reablement Coordinators	L7	2.0	2.0	0
Reablement Support Worker	L3	12.0	12.0	12.0
Extra Care Home Carer	L2	10.42	31.0	3.19
Admin Extra Care	L4	0.5	0	1.0
Senior Support Worker Respite & Shared Lives	L6	1.0	1.0	1.0
Senior Support Worker Supported Living	L6	1.0	5.0	0
Senior Community Development Coordinator	L6	2.0	5.0	0
Older People Day Care Team Leader	L6	2.0	5.0	1.0
Older People Day Care Senior Day Care Officer	L4	1.0	3.0	0
Catering Officer	L2	1.49	7.0	0
Older People Domestic Assistant	L1b	1.55	3.0	0
Total		43.96	82	20.19

32. Employees affected by proposals for post deletion will be considered for posts within the new structure in the first instance and will need to demonstrate their suitability for the new roles.
33. Voluntary Redundancy requests will be considered to minimise the number of compulsory redundancies of which 6 have been received. It is difficult to guarantee the number of redundancies although Officers do not anticipate more than 10 redundancy outcomes as 'suitable alternative employment' will be offered wherever this is possible. There is a low risk that employees may not be able to demonstrate their suitability for a new role which will reduce the number of employees who could potentially be at risk.

CONSULTATION

34. Formal consultation commenced on 5th October 20 and ended on 18th November 20. All key stakeholders and Unions have been advised of the proposed changes throughout and the OCA document was shared with Unions on 30/09/20. Unions consulted with include Unison, Unite and GMB. Unions did not have any concerns regarding the proposals however queried the outcome for staff who have requested VSS. The response to the matter of VSS was that we were too early into the OCA process to agree but we would consider requests as the consultation concluded
35. The OCA document was circulated to staff on 5.10.20 and ten start of consultation group meetings were conducted from 7.10.20 until 20.10.20. Meetings were conducted via Skype and face to face. Unions (Unison, Unite and GMB) were invited

to all meetings and Unison and Unite attended meetings which were conducted through skype.

36. All staff had the opportunity to engage in the consultation via meetings and were also able to pose any queries or questions via email of which 30 were received and logged. All of their questions were responded to during the consultation period and generic queries and responses were available to all staff who were impacted by the proposal.
37. Throughout the consultation period 18 staff requested a formal 1:1 meeting which were conducted either face to face or via skype. Unions did not attend any of these meeting.
38. Queries raised throughout the consultation via the various platforms comprised of questions regarding the proposed structure, managing service delivery with reduced resource, adequate Deputy Management (M1) support, queries around the ring fencing process, the application and interview process, clarity regarding job roles in respect of L4 workers, queries regarding job descriptions, the voluntary redundancy process and concerns regarding job losses.
39. Through the consultation period there was an agreed amendment to the proposed structure. Although the initial proposal was that the M1 Deputy in Day Opportunities would work between both Day Opportunities and Support to Live Well it was felt this would not be sufficient support for either area due to the demands of the role.
40. It was felt that the M3 Support to Live Well would likely to be drawn in the day to day operations without the full time support from an M1 Deputy, this could prevent the M3 from meeting the strategic aspects that are expected from that role hence the additional M1 Deputy Post for Support to Live.
41. Staff were advised that although there are reduction in posts and downsizing in some services there are also vacancies (18.7 X L3) (2.94 X L2) across the services which staff would be encouraged to apply for.

EQUALITIES IMPLICATIONS / INTEGRATED IMPACT ASSESSMENT

42. The Integrated Impact Assessment in relation to staff was completed and is attached to this. The assessment indicated that there was both potential negative and positive impact on employees sharing any of the specified equalities characteristics.
43. This report however has been cleared by Maureen Drummond, Cohesion & Equalities Adviser on 23rd November 20.

STAFFING / HR IMPLICATIONS

44. There are the following staffing implications:
 - a. There are 71 employees affected by the proposal to restructure Provider services.
 - b. Voluntary Redundancy requests could be considered in the first instance, and six affected employees have requested Voluntary Redundancy. It is difficult to

guarantee the number of redundancies although Officers do not anticipate more than 10 redundancy outcomes as 'suitable alternative employment' will be offered wherever this is possible

- c. There is a low risk that employees may not be able to demonstrate their suitability for a new role through a ring fenced interview which will reduce the number of employees who could potentially be at risk
- d. In such circumstances, general redeployment will be sought to minimise any risk of redundancy but this could then result in 6 compulsory redundancies if they were not able to be redeployed within the Council.
- e. The Council's Organisational Change Procedure will be used to manage the implementation process and appointments to the new structure and any change to terms and conditions of employment.

45. This report has been cleared by Angela Claridge, Head of HR & Monitoring Officer on 1.12.20

FINANCIAL IMPLICATIONS

- 46. The proposals will deliver service efficiencies and would achieve savings in the region of £1.4M within this service area, as a result of the proposals. This assumes there are no additional changes required to staff structures.
- 47. The estimated compulsory redundancy costs are maximum £100k. Two of the managers who are at potential risk of redundancy will not be eligible for redundancy pay due to the duration of their employment with the Council
- 48. This report has been cleared by Atif Iqbal, Finance Business Partner on behalf of Dev Gopal, Head of Finance on 1st December 2020.

LEGAL IMPLICATIONS

- 49. In the event of any compulsory redundancies, there is the possibility for an internal appeal to officers and the Council would also need to deal with any potential Employment Tribunal proceedings.
- 50. This report has been cleared By Michelle Mwangi (Adult Social Care) and Jasbir Josen (Employment), Solicitor in Legal Services on 30.11.2020

APPENDICES

Appendix 1 - Organisational Change Assessment (OCA)

Appendix 2 - Current Structure Chart for Provider Services

Appendix 3 - Proposed New Structure chart for Provider Services

Appendix 4 - Integrated Impact Assessment - Provider Services

LIST OF BACKGROUND PAPERS
LOCAL GOVERNMENT ACT 1972, SECTION 100D

List of Background Papers - Local Government Act 1972, Section 100D

None

Implications

Item	Details	Clearance Agreed By	Dated
Legal	<p>It is noted that there will be significant changes to the staffing level in some areas. It would be advisable to ensure that no service user especially the vulnerable who rely on the services is affected by lack of services due to changes in staff levels.</p> <p>In the event of any compulsory redundancies, there is the possibility for an internal appeal to officers and the Council would also need to deal with any potential Employment Tribunal proceedings.”</p>	<p>Michelle Mwangi &</p> <p>Jasbir Josen</p>	30.11.2020
Finance	<p>The proposals in the report will be delivering tracker savings and finance have worked very closely with the service to ascertain these proposals and savings. There could be a maximum redundancy cost of £100k which will be covered by the Council redundancy pot.</p>	Atif Iqbal (Finance business Partner)	01/12/2020
Equalities	<p>The IIA is attached to this report Staff demographics show that there may be a negative impact for groups identified such as women, people over the age of 50 and for people who are white and for people who have a disability</p> <p>The mitigation is that we will enabling affected staff to apply for or be ring-fenced/slotted into vacant posts where possible. Interviews will be guaranteed for those staff who declare a disability.</p> <p>Voluntary redundancy will be considered in the first instance to</p>	Maureen Drummond, Cohesion & Equalities Adviser	23.11.20

Item	Details	Clearance Agreed By	Dated
	<p>reduce the number of compulsory redundancy</p> <p>Staff who secure jobs in the new structure will do so with Pay Protection if they secure jobs which are a grade lower than their substantive post.</p> <p>There may be a positive impact for the majority of staff who are female as they could move up grades i.e. opportunity for L3's to L4 and L2's going to L3, L7 to M1 and possibly M2 to M3.</p> <p>There will be some older person day care centres remaining open therefore citizens who are eligible to attend will still have their needs met.</p>		
Environment	N/A		
Community Safety	N/A		
Staffing	The implications are contained in the body of the report	Angela Claridge	1.12.20
Consultations			
Other			