

Change Management Policy

Policy Statement

It is the aim of SOS Homecare to maintain and improve upon the efficiency and financial sustainability of the organisation thereby, as far as is possible, safeguarding the current and future employment of our employees. However, SOS Homecare is a growing and changing organisation and it is inevitable that it will be necessary from time to time to review and change how departments and teams operate and where this happens to ensure the continued viability of the organisation.

Some organisational changes will happen over time and employee roles will gradually evolve in line with these business changes. However, there are times when it may be necessary to restructure and review employee arrangements in a more immediate and fundamental way, which may affect staffing needs and the types of roles performed by employees.

This policy outlines the approach SOS Homecare will adopt in managing such restructures and any resultant redundancies.

Principles

- No action may be taken on organisational changes, including redundancy, by any manager without the approval of the Care Governance Team (CGT).
- Managers will always notify affected employees as soon as is reasonably practicable of any proposed restructures and/or organisational changes.
- Where redundancies may result from restructuring, Managers will consider ways of avoiding compulsory redundancies prior to progressing to a formal redundancy situation. This may include alternative proposals such as the development of new job roles, alternative working patterns or contractual arrangements, new ways of working, natural turnover, a review of work undertaken by atypical workers and controlled recruitment activity.
- Where redundancies are unavoidable Managers will follow the consultation and redeployment guidelines set out in the Redundancy Procedure below.
- The Finance Department will be responsible, in all cases, for the calculation and payment of any redundancy payment due to employees.
- The Director will be responsible for ensuring that statutory consultation and notice requirements are complied with and that necessary documentation is completed.

Alternatives to redundancy

Prior to confirming any redundancies, the Organisation will take steps to explore all other alternatives that are suitable to maintain the needs of the business.

The particular measures to be taken will depend on the exact circumstances at the time a decision is made. However, the following represents measures which will be explored:

- reduction or cessation of the use of temporary/agency staff
- freezing or reducing external recruitment
- banning or restricting overtime hours
- short-time working or temporary lay-offs
- flexible working hours/days
- redeployment of employees to other suitable alternative work
- restriction on internal recruitment

- seeking agreement for reductions in employee pay
- volunteers for redundancy (see below).

Voluntary redundancy

When a redundancy exercise is proposed, the Organisation may take the initial step of inviting applications for voluntary redundancy for a restricted period of time.

The final decision on accepting a voluntary redundancy application will be made by the Organisation and employees must be aware that volunteering for redundancy will not necessarily lead to an approval of that application. The Organisation may deem that the volunteer's skills and capabilities are such that it would be detrimental to the Organisation's future prospects if they were no longer available. In these circumstances, the application is likely to be denied.

Any acceptance of an application for voluntary redundancy will be confirmed in writing and the individual invited to a meeting to discuss arrangements for the termination of their employment, including any entitlement to redundancy pay which may or may not include an entitlement to enhanced redundancy pay.

Consultation and Information

Representatives

If there are no employee representatives, A secret ballot will be held to elect employee representatives to take part in consultation with the Organisation where 20 or more redundancies are proposed to take place at one establishment within a 90-day period. The Organisation will appoint employee representatives if, subsequent to the ballot, there is an insufficient number of elected representatives. If less than 20 representatives are proposed then individual consultations will take place, where necessary.

The Organisation is committed to the full involvement of employees and their representatives throughout any redundancy exercise and sufficient time will be allocated to ensure consultation is meaningful. To this end, the Organisation will engage with trade union/employee representatives to analyse any proposals submitted. The Organisation will ensure, wherever possible, these submissions are incorporated into the process of handling the prospective redundancies.

During the period of consultation, the following information will be outlined:

- the business reason(s) for the proposed redundancies
- the outline and specifics of those effected including numbers of employees and divisions.
- the methods that are being suggested to appoint those to be made redundant.
- the methods that are being suggested to conduct the proposed redundancies.
- the time frame in which the redundancy dismissals will occur.
- suggested proposals for formulating redundancy payments, in the event of non-statutory payments being made.
- the volume and usage of agency workers working with the organisation.
- areas of the business in which agency workers are relied upon and used.
- the nature of work conducted by the agency workers.

Individual consultation

A period of individual consultation will be conducted for those employees who have been highlighted as “at risk” of redundancy. During this consultation, the employee will be informed of the Organisation’s proposed approach to the redundancy including selection criteria to be applied.

When an employee has been selected for redundancy, they will be informed of this and will have the opportunity to explore the reasons for the selection. Only after the employee has had the opportunity to do this will final decisions be made on who is to be made redundant.

In the event that notice of termination is served, the employee will be invited to discuss the decision with their manager. During this meeting the employee is to be notified of the timescales of termination in addition to any redundancy payment that may be available.

Selection for Retention

Where the Company has re-structured creating different job roles which are not broadly similar to the old ones, selection for retention will apply. SOS Homecare will determine the pool of affected employees whose old roles have become redundant, and they will be invited to apply for the new positions.

The organisation will always endeavour to use a comprehensive and fair selection criterion. However, it should be noted that the Organisation reserves the right to adjust its criteria to suit the circumstances leading to the proposed redundancy. The method of selection for new positions within the structure may be any one or more of the following:

- Paper based application form.
- A selection interview.
- Relevant work appropriate exercises
- Presentations
- Review an employee’s performance record.

Reduction in posts of a similar kind

Where it becomes necessary for the Company to reduce the number of posts of a similar kind all employees within the affected work area will be deemed at risk of redundancy. In such circumstances the Company will apply a selection criterion to identify those employees who will be potentially redundant, subject to the Company’s efforts to redeploy them to alternative roles to avoid compulsory redundancy.

The selection criterion adopted will be discussed with affected employees and/or their representatives as part of the consultation process. The list below is illustrative of the types of criteria that the Company may apply:

- Skills, experience, qualifications, and aptitude of the employee
- The standard of work performance and appraisal reviews
- Flexibility and ability to respond positively to changing work practices.
- The attendance, time-keeping or disciplinary record of employees
- Formal selection process as indicated in selection for redundancy.

Safeguards will be put in place to ensure that any criteria are fair, objective, non-discriminatory and consistently applied. No employee will be selected for redundancy for any of the following reasons:

- On the grounds of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, sexual orientation.
- For Health and safety-related reasons
- For asserting a statutory right
- For carrying out the function of, or standing as, an employee representative
- For any trade union-related reason

A Redundancy Selection Panel will be constituted to agree on the selection process and criteria. The Panel will comprise of at least two Directors. All deliberations of the Panel will be treated as confidential.

The Redundancy Selection Panel will be responsible for ensuring that a fair and transparent process is followed against set criteria for each role and individual to be compared against, as stated above. The selection criteria is open to all individuals being assessed and can be viewed by the individual upon request.

Alternative Employment

In an attempt to avoid redundancies, SOS Homecare will ensure that action is taken to seek alternative employment options for employees who have been notified of their redundancy until the point of termination. Existing vacancies in the business will be outlined and be subject to discussion with the employees concerned. For this purpose, further meetings may be arranged between the employee and their line manager. If a role is found to be suitable and an offer presented, a trial period of four weeks will apply.

If, during the trial period, the alternative vacancy is deemed unsuitable then the employee's employment will be terminated upon conclusion of the trial period. The employee's entitlement to a statutory redundancy payment will not be affected by this decision. In the event that further suitable alternative work is found, the employee will again undertake a trial period of four weeks in that role. The trial period may be extended if extra training needs are identified.

The employee loses their entitlement to a statutory redundancy payment upon an unreasonable refusal of a suitable alternative role. The same will apply in the event that the employee, having taken up the offer of the suitable alternative role, then resigns before the end of the trial period.

Employees who are on maternity, paternity, adoption or shared parental leave will be given preference over other employees in the search for suitable alternative vacancies.

Where there is more than one suitable applicant for a vacancy, the Organisation reserves the right to introduce a selection process akin to those used in a normal recruitment process, to allow for fair selection of the most suitable applicant.

Vacancies will, in the first instance, be "ring-fencing" for internal recruitment only.

Time-off to look for work/undergo training

If a notice of redundancy dismissal is served, those employees with at least two years' continuous service will be allowed time off work to seek other employment. A reasonable amount of time off will be granted for the purpose of attendance at interviews and

participating in training for other form of employment. Any time off should be discussed with the employee's relevant manager prior to being arranged.

Statutory redundancy payments

A statutory redundancy payment will be payable to those employees with a minimum of two years' continuous service with the Organisation. This redundancy payment is formulated based on an employee's age, length of service and final gross weekly pay. This final gross weekly pay is subject to the statutory maximum at the time of the redundancy dismissal.

Notification of Dismissal

Normally, employees will be required to work during their redundancy notice period, however, the Organisation reserves the right to make a payment in lieu of notice (PILON). In these circumstances the Organisation may consider a request from an employee to reduce their contractual notice period or the employee may provide a counter notice in line with statutory provisions. In the case of the latter, the Organisation will normally accept a counter notice unless exceptional circumstances apply.

Appeals

Employees to be made redundant are entitled to appeal against this decision. Any appeal must be submitted in writing, detailing full grounds of appeal, within five working days of the decision to terminate employment. Employees may be accompanied at the appeal hearing by a work colleague or a certified trade union representative. The appeal hearing will be held within 7 working days of the appeal being submitted. The Appeal Panel will be formed by the Managing Director and a Senior Manager not involved in the original Redundancy Selection Panel. The decision of the appeal hearing is final and will be communicated in writing to the employee within 5 working days of the appeal hearing.

Advice and Counselling

Advice on completing application forms and job interview skills will be provided on request by your direct Line Manager or a member of the HR team.

Re-employment of Redundant Employees

No individual can be re-hired into SOS Homecare on any type of contract for 12 months following a redundancy/compromise agreement settlement. Exceptions may be agreed by the Senior Management Team.

Policy Review

This policy will be reviewed every 2 years.