



HUMBERSIDE FIRE AND RESCUE SERVICE

# People & Development

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## Restructuring Policy – Green Book Fire Staff and Fire Control

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## **1. INTRODUCTION**

Humberside Fire and Rescue Service (HFRS) recognises the significant contribution made by its employees and seeks to ensure, as far as possible, stable and sustainable employment through effective planning to meet current and future needs.

This policy has been designed to support employees and provide clarity where Humberside Fire & Rescue Service (HFRS) takes a decision to undertake organisational restructuring in order to improve services and/or efficiency. The process of assigning and appointing employees into posts following any restructure, as detailed in this policy, will ensure that all employees are treated fairly and consistently. These policies operate in conjunction with the [Pay Protection Policy](#), and where appropriate, the [Redeployment Policy](#) and [Redundancy Policy](#), in order to minimise the impact of change and to support employees during and after any restructuring process.

This policy supersedes all previous policies relating to restructuring and applies to all Green Book Fire Staff and Fire Control staff of HFRS.

### **Core Code of Ethics**

HFRS has adopted the Core Code of Ethics for Fire and Rescue Services. The Service is committed to the ethical principles of the Code and strives to apply them in all we do, therefore, those principles are reflected in this Policy.

### **National Guidance**

Any National Guidance which has been adopted by HFRS, will be reflected in this Policy.

## **2. EQUALITY AND INCLUSION**

HFRS has a legal responsibility under the Equality Act 2010, and a commitment, to ensure it does not discriminate either directly or indirectly in any of its functions and services nor in its treatment of staff, in relation to race, sex, disability, sexual orientation, age, pregnancy and maternity, religion and belief, gender reassignment or marriage and civil partnership. It also has a duty to make reasonable adjustments for disabled applicants, employees and service users.

## **3. AIM AND OBJECTIVES**

A proposal to change staffing structures may arise for a variety of reasons, but ultimately the aim will be to maintain or improve efficiency and effectiveness.

Reasons as to why a restructure may be required may include, but are not limited to:

- Key personnel leaving the organisation, leading to a specialist skill shortage in a particular area.
- Budgetary constraints.

- A review or audit of performance (either of the entire organisation or individual department(s)) resulting in an outcome which advocates a restructure is required.
- A change in workload levels or job content.
- Job evaluation.
- There is a sound business case for the restructure to take place.

#### **4. ASSOCIATED DOCUMENTS**

- [Equality Impact Analysis](#)
- [Recruitment & Selection Policy](#)
- [Redeployment Policy](#)
- Legal References
  - Greater London Provincial Council (GLPC) Job Evaluation Scheme.
- National Guidance

#### **5. DEVELOPMENT OF A BUSINESS CASE**

Where any/all of the above have been identified, each Director will develop a Business Case that clearly sets out the reasoning and rationale behind the new proposed structure for the Directorate and this will require SLT approval.

As part of the Business Case, Directors will review and revise all Job Descriptions and Employee Specifications. If a new post is introduced within the restructure, then the Director will be required to write a new Job Description and Person Specification for that role.

All new or revised jobs will be evaluated using the Greater London Provincial Council (GLPC) Job Evaluation Scheme.

#### **6. CONSULTATION**

Consultation will take place with Representative Bodies about any proposals and this consultation will include:

- The need and rationale for the change
- The impact of not changing
- The options that have been considered, including advantages and disadvantages of each
- The identification of the affected employees
- The proposals for change, including the proposed staffing structure and how it will operate
- The financial and staffing implications of the proposals
- The procedure to be followed and timescale/period over which it will take

place

- Draft job descriptions and person specifications
- Details of the selection process to apply to 'ring-fenced' posts
- An equality analysis detailing the equality implications of the change and mitigating action of any negative impact.

Where a restructure could result in 20+ redundancies, HFRS has a statutory duty to consult with Trade Unions in good time. Where there are fewer than 20 redundancies planned whilst there are no set rules to follow, it is nonetheless good practice to fully consult with employees and their representatives and therefore HFRS will also consult in this situation.

Where it is identified that a restructure could lead to redundancies, consultation will be in line with statutory provisions. During consultation, HFRS will ensure that all employees who are affected by such proposals have access to all of the relevant documentation, including the timescale by which the exercise is expected to be completed.

## **7. FIRST FORMAL INDIVIDUAL CONSULTATION**

All employees affected will receive notification of their "at risk" status. This letter will indicate that:

- The employee is 'at risk'. The employee will be provided with details of where to access proposed new structures, Job Descriptions and Employee Specifications as well as the support that will be available throughout this period of time (OH, HR, etc)

An individual consultation meeting will be held with each employee to confirm how the restructure will affect them personally. An employee will be entitled to be accompanied by a representative or work colleague. An HR Service Partner or Adviser will also be present to take notes.

Employees will be made aware that the number and types of posts available may be affected through the Job Matching exercise (see below).

## **8. THE NEW STRUCTURE**

### **Stage One – Assignment of Employees – Ring Fence and Job Slotting**

A 'ring fence' comprising of the employees affected by the proposal will be established, with the named employees identified for selection.

HFRS will adopt the approach of including all employees within a Directorate for a specific selection pool. This means that all employees within a particular Directorate will be allowed to apply for all posts available within their Directorate only, irrespective of grade. Employees will not be able to apply for posts outside of their Directorate in the first instance (until Redeployment applies). This includes those employees who have been seconded to other Directorates.

All employees will be included within the selection pool, including fixed term employees, except where their exclusion can be objectively justified, e.g. cover for maternity leave.

Where the overall purpose and content of a post in the new structure is 100% the same as an existing post (regardless of whether the job title may change), the postholder will be advised that there is no change in their employment status and they will be assigned to the post (Job Slotting). The employee will then be removed from the selection pool.

Where more than one employee meets the criteria to be assigned to a post, the process will then follow a competitive selection process.

Any employee on secondment will be included in the restructure associated with their substantive post and not the 'importing' Directorate.

Where it has been identified that a department will move Directorates within the restructure process, they will be 'ring-fenced' with the 'importing' Directorate.

## **Stage Two – Job Matching**

It is recognised that some of the new posts in the structure may align considerably to the roles currently undertaken by existing staff. Where a post is not 100% identical, HFRS are required to put an employee 'at risk'.

All employees 'at risk' will be given the opportunity to identify post(s) within their Directorate's new structure which, in their opinion, they can be job matched against. This means that where a Job Description has changed but an employee can directly demonstrate, with examples, 100% of all non-generic points (this is all points excluding E&I, H&S, Risk, PDR, ICT/DPA and attending training courses – standard statements) associated with a new role, they will be provided with the opportunity to complete a Job Matching Form.

Employees should note that Job Matching can only take place where the new role is at the same grade that they currently occupy substantively.

Directors, or their designated Managers, will assess all job matching applications for their section in conjunction with HR. Job Matching will not be agreed where it is evident that there is a totally new point or fundamental change to the Job Description. Where this is the case, the role will go out for a competitive process.

The above applies to the employee's substantive post only and not the employee's secondment or temporary promotion post.

During the individual consultations, Directors will discuss with each employee the Job Matching process.

Where an employee feels that they have the potential to Job Match to more than one post, a separate form should be completed for each post.

Employees must submit their Job Matching form to HR by the closing date stated. HR, in conjunction with the relevant Director, will assess each application and, where appropriate, will confirm/decline a job matching opportunity.

Where more than one employee meets the criteria to be Job Matched to a post, the process will follow a competitive selection process.

### **Job Matching Confirmation Meeting**

A meeting will take place for those who have applied for job matching with the purpose of one of two discussions taking place:

- Employees who have successfully been substantiated into a post through the job matching exercise will be informed they are no longer 'at risk' of redundancy and will receive confirmation, in writing, from HR of the same
- Employees, who have not been substantiated into a post, will be informed they are still 'at risk' or redundancy and an explanation, in writing, will be provided as to why they are not deemed to meet the criteria.

An employee will have the opportunity to appeal the decision against Job Matching within seven calendar days of the meeting. The appeal should be forwarded to the Head of HR who will arrange an appeal meeting with a Director or designated Manager.

If an employee is unsuccessful in Job Matching they will then proceed to Stage Three.

### **Stage Three – Employees Not Assigned under Stage One or Two**

Following stages one and two, all remaining posts will continue to be 'ring-fenced' for employees within the Directorate.

The remaining posts will be recruited to on a grade by grade basis, with the higher graded posts being recruited to first.

Employees will be given the opportunity to apply for all available new posts within their Directorate and this will form part of a competitive process. All applications will be sifted and, if successful, employees will be interviewed.

Where an employee wishes to apply for more than one post, a separate application form should be completed for each post.

Where an employee is successful at interview, they will be offered the post and this will be confirmed to them in writing by HR. The employee will then be immediately removed from being 'at risk' (if that was their current status) and will not be considered for any further posts.

### **Shortlisting and Interview Process (Competitive Process)**

All applications will be shortlisted by the essential criteria on the person specification.

The interview panel will consist of either the Director or designated Manager and a HR Service Partner/Adviser. The questions will be competency based and directly linked to the Person Specification for the post.

Please see the Recruitment and Selection Policy ([Section 4. Associated Documents](#)) for more information on the recruitment process.

### **Absent or Seconded Employees**

Any employees who are absent, i.e. on maternity leave, long-term sickness, etc or seconded during the restructuring process, will be included in any consultation process which takes place and will receive the same information as their colleagues at work.

### **Stage 4 – Unsuccessful at previous stages**

Any employee without a substantive post following stage three of the process will be notified, in writing, by HR of their status and provided with information regarding redeployment opportunities. Please refer to the Redeployment Policy ([Section 4. Associated Documents](#)) for the information on redeployment.

Any employee who is redeployed to a lower graded post will be eligible for pay protection. Please refer to paragraph 52 below, and to the Pay Protection Policy for more information on pay protection.

Any vacant posts following the restructure will be filled initially through redeployment of displaced employees wherever possible.

Pay protection arrangements will cease to apply if any employee unreasonably refuses to accept a subsequent offer of appointment to a suitable post which is more closely comparable in terms of duties, remuneration and terms and conditions to their original post.

## **9. TRIAL PERIODS**

An employee, who changes post as part of a restructure and where they may otherwise have been made redundant, will have a trial period of twelve weeks in the new post where the provisions of the new contract differ from their original contract. The trial period begins when the previous contract has ended and concludes twelve weeks from the date on which the employee starts work under the new contract.

The trial period is to give the employee a chance to decide whether the new job is suitable without necessarily losing the right to a redundancy payment to which they may otherwise be entitled. The twelve weeks trial period can be extended for retraining purposes by an agreement in writing, specifying the date on which the trial period ends and sets out the employee's terms and conditions after it ends. If the employee works beyond the twelve weeks period or the jointly agreed extended



period, any redundancy entitlement will be lost because the employee will be deemed to have accepted the new employment.

Trial periods are used to assess suitability for the new post. Should HFRS wish to end the new contract within the twelve weeks for a reason connected with the new job, the employee will preserve the right to any redundancy payment under the old contract. If the dismissal is due to a reason unconnected with redundancy, the employee may lose that entitlement.

## **10. WHO CAN PROVIDE SUPPORT OR ADVICE TO EMPLOYEES**

We are committed to maintaining a safe and supportive work environment for everyone. Below are internal and external routes staff can use to speak up, raise a concern and get support.

Most speaking up happens through conversations with supervisors and line managers where challenges are raised and resolved quickly. We strive for a culture where that is normal, everyday practice and encourage you to explore this option it may well be the easiest and simplest way of resolving matters. However, you have other options: Station Managers, Group Managers, TLT and SLT member with responsibility for the subject matter you are speaking up about.

### **Via your line manager**

Your line manager is a key point of contact for reporting concerns and seeking support. They are here to listen, provide guidance, and ensure that your concerns are addressed appropriately. Whether you have questions about workplace policies, encounter issues with colleagues, or require assistance with personal matters affecting your work, your line manager is there to support you.

If, for any reason, you feel uncomfortable discussing your concerns with your line manager, we have established multiple channels for reporting concerns anonymously or confidentially.

### **Through our Policies and our Professional Standards Policies**

Various routes are included in our Policies and our Professional Standards Policies listed below:

- Anti-Fraud and Corruption
- Complaints
- Dignity at Work (anti Bullying and Harassment)
- Disciplinary
- Exits From the Service
- Equality and Inclusion
- Grievance
- Menopause
- Mediation
- Personal Relationships at Work Policy

- Safety Event Reporting Recording and Investigation Arrangements
- Whistleblowing

### **Further Whistleblowing Support**

[Protect](#) is the UK's whistleblowing charity, who aim to stop harm by encouraging safe whistleblowing. Their free, confidential [Advice Line](#) supports more than 3,000 whistleblowers each year who have seen malpractice, risk or wrongdoing in the workplace.

### **Independent Speak Up (Powered by Crimestoppers)**

This service aims to provide a safe space for staff to speak up when something isn't right in the workplace:

- Discrimination, victimisation and harassment (on gender, sexual orientation, disability)
- Misogyny and violence against women and girls
- Health and safety breaches
- Fraud and corruption
- Poor or unsafe working practices

The service is available online or via phone [here](#).

Service users can remain anonymous or can choose to provide their name and contact details which will then be shared for confidential use by the Fire Service.

### **Our internal bullying and harassment hotline**

Bullying will not be tolerated within Humberside Fire and Rescue Service. Our Dignity at Work policy clearly defines bullying and how to report it.

The Service's 'Zero Tolerance' campaign has a very simple strapline - **SUPPORT - CHALLENGE - REPORT** - and we encourage our employees to do just that.

### **Contact HR**

You can contact your HR team, in complete confidence, on: 01482 567572.

This number will take you through to one of our HR advisers who will listen to what has caused you to feel the way you do.

You don't need to provide names and you will receive completely confidential advice as to how to manage any issues you raise.

### **HMICFRS Independent reporting line**

The independent reporting line (IRL) form is a tool for fire and rescue service staff to confidentially pass information to HMICFRS, which as an independent body is responsible for inspecting fire and rescue services on their efficiency, effectiveness

and how well they look after their people.

The reporting line can be accessed [here](#).

### **Employee Assistance Programme**

As part of an ongoing commitment to employee wellbeing, Humberside Fire and Rescue Service Occupational Health Team are very pleased to offer all employees confidential support, with free access to emotional and practical support through CiC's Confidential Care Service.

The service is provided by CiC, an external organisation, who are entirely independent, so support and advice is completely confidential. You can call the Confidential Care line as often and for as long as you need to discuss any issues you would like support with.

The Confidential Care service is available 24 hours a day, 7 days a week, 365 days a year and is accessed by calling the freephone number: 0800 085 1376.

### **Internal Freedom to Speak Up Routes**

The Freedom to Speak Up model was developed in health and has six key elements; we have used the model as the basis for the HFRS process. How we implement 'Valuing' and 'Modelling' Speaking Up within HFRS will be developed from the 'ground up' by listening to staff about how line managers and the organisation can value and model Speaking Up.

Our 'Freedom to Speak Up Guardian' can support you to speak up if you feel unable to do so. The Guardian will ensure that people who speak up are thanked for doing so, that the issues they raise are responded to, and that the person speaking up receives feedback on the actions taken. You can find out more about the guardian role [here](#).

Additional information relating to Freedom to Speak Up Routes can be found [here](#).

You may also wish to speak to:

- A colleague
- A trade union representative
- The Humberside Fire Authority Counselling Service

You may wish to discuss the concern with a colleague or trade union representative first and may find it easier to raise the matter if there are other colleagues who share the same concerns. A trade union representative or work colleague may accompany a member of staff at any meetings or interviews in connection with the concerns raised.

## **11. GLOSSARY OF TERMS**

**At Risk:** At risk of redundancy (but not yet under notice of redundancy) because:

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- The substantive post they occupy is not included in a new structure (e.g. has been deleted).
- The substantive post they occupy has been modified in the new structure (e.g. new location/changes to JD/PS).
- They are in a group of people who occupy the same substantive post and the number of posts within the new structure has reduced (e.g., 4 administrators reducing to three).

**Concurrently:** The recruitment activity for each Directorate will start with the highest grade. This means one Directorate might recruit for a Grade 10 post at the same time as another Directorate is recruiting for a Grade 5 post.

**Job Description (JD):** A document that communicates clearly and concisely what responsibilities and tasks the job entails.

**Person Specification (PS):** An extension of the Job Description. It is a profile of the necessary and desirable criteria for selection, including the skills, knowledge, experience, attributes and characteristics required of the postholder to undertake the job.

**Job Slotting:** Where there is a 100% match between the duties/responsibilities of an existing post and those of a post in the new Directorate's structure, the existing substantive postholder will be slotted into the post. Job slotting can only occur if there are enough posts in the new structure for all substantive postholders to 'slot' into.

**Job Matching:** The opportunity for an employee to 'match' a post in their Directorate in the new structure. Where more than one employee meets the criteria to be Job Matched to a post the process will follow a competitive selection process.

**Ringfence:** A group of employees who can apply for certain posts. In this restructure the ringfence is determined by an employee's substantive Directorate. Individuals are only permitted to apply for roles within their substantive or importing Directorate.

**Secondment:** This refers to the temporary movement or 'loan' of an employee to another part of the organisation (internal secondment) or to a separate organisation (external secondment).

**Substantive post:** A substantive post is an employee's 'normal' position of employment. For example, where an individual works in Job A, but is assigned temporarily to Job B, Job A is their substantive post.

**If you require any further guidance in relation to this policy, please contact  
Human Resources**