

This policy can be found on the intranet under HR Policies and Procedures

# ALLOCATIONS PROCEDURE

## February 2014



**The ALLOCATIONS PROCEDURE is to be read in conjunction with the Councils' Redundancy and Redeployment Policy.**



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## ALLOCATIONS PROCEDURE

### 1.0 PURPOSE AND SCOPE

- 1.1 The purpose of the Allocations Procedure is to provide a mechanism for managing the process of redeployment of potentially redundant “in scope” employees to suitable alternative posts within the proposed new structure where these can be found.
- 1.2 The Allocations Procedure applies to those employees designated as being “in scope” of the exercise.
- 1.3 This procedure must be read in conjunction with the council’s Redundancy and Redeployment Policy. The Allocations Procedure supplements the Redundancy and Redeployment Policy in relation to the organisational restructure except in relation to the following sections of the latter document- 1.1-1.4; 2.1-2.2; 3.1/3.2/3.5/3.6; 4.1-4.5; 5.1-5.4; 6.1; 7.1-7.7; 8.1-8.2; 9.1-9.4; 10.1-10.2
- 1.4 In making appointments to the new structure, the council will wish to minimise the potential for redundancies whilst, at the same time, ensure that the person appointed to each post has the capability to perform effectively the duties and responsibilities of the post. In circumstances where there is competition for a post and more than one applicant has the required level of capability, the person who demonstrates this best through the selection procedure, shall be appointed.
- 1.5 The council will seek to appoint to posts employees who have the skills, knowledge, behaviours, and attitudes, to operate within the new structure.

### 2.0 DEFINITIONS

- 2.1 **“Unchanged Posts”** – Posts which are substantially the same in the new structure are defined as follows, where the two conditions below apply;
  - i) When in the view of the council (as determined by the appropriate manager and HR Adviser) the primary purpose of the post and job content are at least an 80% match, and;
  - ii) When in the view of the council the job purpose (as determined by the appropriate manager and HR Adviser) of the new role remains directly comparable to the purpose of the employee’s existing post as set out in the existing job description.
- 2.2 **“Changed Posts”** – Posts which do not fit the definition of “unchanged” in 2.1 above where the condition below applies;
  - i) When in the view of the council (as determined by the appropriate manager and HR Adviser) the primary purpose of the post and job content are at least a 60-79% match.
- 2.3 **“Major Changed Posts”** – Posts which do not fit the definition of “unchanged” in 2.1 or “changed” in 2.2 above.
- 2.4 **“Slotting In”** – employees will be slotted in where a current post holder of an unchanged job in accordance with paragraph 2.1 is allocated to that role in the

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new structure. Alternatively, where an employee meets the essential requirements of the person specification or can do so with support and training; there is only one eligible person for the post, or the number of eligible persons or posts equate and slotting in does not involve grade uplift/promotion, and this has been established by job evaluation.

2.5 **“Competitive slotting in”**– is defined as the identifying of 2 or more in scope employees who are eligible to slot in to a specific role in accordance with paragraph 2.1 where posts are deemed to be “unchanged” in the new structure but where only one post is available. Those eligible will be “ring fenced” to the available post(s) and individuals will undertake a selection process.

2.6 **“Competitive selection”** - is defined as the identifying of 2 or more in scope employees who are eligible for a specific role in accordance with paragraph 2.2, where posts are deemed to be a 60-79% match in the primary job purpose and day to accountabilities in the new structure, but where only one post is available or the number of eligible persons or posts does not equate. The post(s) will be “ring fenced” to those eligible and individuals will undertake a selection process. This would only apply if the job in the new structure has not already been identified as suitable in accordance with 2.4.

2.7 **In Scope Staff** – All staff whose role has been affected directly by this process.

### 3.0 PROCEDURE

3.1 The appropriate manager and HR Adviser will designate each post in the structure as being “unchanged”, “changed” or subject to “major change”. This designation will form part of the subject matter for the consultation process. Final decisions on the designation of posts will not be taken until after all consultations have been concluded. In scope staff will be informed of their “at risk of redundancy” status at the commencement of the consultation process. At the end of the consultation process staff in scope will have their final designation confirmed to them and advised as to whether or not they remain “at risk”.

3.2 **Unchanged Posts.** Staff who are to be “slotted in” will be informed at a 1:1 meeting and in writing of this outcome.

3.3 **Changed Posts.** Any individual whose existing post has altered will become part of a pool of eligible staff able to apply for one or more posts in the relevant ring fence and they will be guaranteed short listing for the selection process. “Slotted in” staff are not part of this pool and will not be able to apply for these posts until the posts are opened up for competition to all council employees.

3.4 **Major Changed Posts.** Any individual whose existing post either no longer exists or whose post has “changed” will become part of a pool of eligible staff able to apply for one or more posts in the relevant ring fence and they will be guaranteed short listing for the selection process if they meet the essential criteria in the person specification. “Slotted in” staff are not part of this pool and will not be able to apply for these posts until the posts are opened up for competition to all council employees.

3.5 **Ring Fencing.** Staff who are to be “ring fenced” to a particular role(s) will be  
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informed at a 1:1 meeting and in writing and will be given the opportunity for a further 1:1 meeting at which the process for selection will be explained.

- 3.6 Staff who believe they have been incorrectly included or excluded from a ring fence, or incorrectly having been slotted in, or not slotted in, to a particular post will be able to make representation (in writing and/or at a 1:1 meeting) to the HR Adviser and the appropriate manager for this to be reconsidered during the consultation period or within 5 days of the consultation period ending. If a member of staff wishes to formally appeal their position in respect of slotting in or ring fencing once the new structure has been agreed, they must do so in writing, addressing it to the HR Adviser within 5 working days of the structure being approved, and it is intended the matter will be within a further five working days by an independent HR Adviser. The decision of the independent HR adviser will then be communicated within a further five working days and the decision will be final.
- 3.7 All staff appointed to a post in the new structure will be appointed provisionally until the outcome of any representation/relevant appeal is known.
- 3.8 The council will conduct a formal selection process to determine the successful candidate where “ring fencing” has occurred. Selection will be against specific management competencies where applicable and the requirements of the person specification for the role. Staff applying for a role must demonstrate through the selection process that they meet the standard required by the council in that job; where no individual can demonstrate this the council is not obliged to make an appointment and will proceed to advertise the post internally and/or externally.
- 3.9 The council will conduct a formal selection process to determine the successful candidate where there is only one eligible individual for an “changed post” or where “competitive slotting in”, or “competitive selection” has occurred. Selection will be against specific management competencies where applicable and the requirements of the person specification for the role.
- 3.10 The council also reserves the right to consider applicants from the external job market alongside internal candidates where vacant posts have not been filled through slotting in/ring fencing in order to obtain “the best person for the job”.
- 3.11 Salary protection will apply to any individual appointed within two grades of their substantive post. Salary protection will apply for 12 months from the date of appointment.
- All final appointments will be confirmed in writing and will include details of any protection entitlements under paragraph 7.5 of the Redundancy and Redeployment Policy.
- 3.12 Any individual who has not been appointed to a post at the conclusion of this process will be issued with formal notice of redundancy, offered the right of appeal (see 5 below) and become subject to the provisions on redeployment and protection in paragraph 7 of the Redundancy and Redeployment Procedure.

### **4.0 INDIVIDUAL AND SPECIAL CIRCUMSTANCES**

4.1 **Voluntary Redundancy.** “In scope” staff will be entitled to express an interest

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in VR/Early Retirement during the consultation period. This will be a 3 step process:

- i) The individual requests an estimate of their benefits. This request does not obligate either party.
- ii) Following consideration of their benefits the individual may formally submit a written request to leave on VR/Early Retirement, which the council will consider but is not obliged to accept.
- iii) An individual who has a formal request turned down will have the right to have their request for VR reconsidered using the process detailed in 3.5 above to the internal HR Adviser.

Staff will be able to request an estimate of benefits anytime during the consultation period but the deadline for formal requests to leave must be received by the end of the formal consultation period.

- 4.2 **Suitable Alternative Employment.** In addition to paragraph 7 of the Redundancy and Redeployment Policy, the following will apply in relation to an individual who believes any offer of alternative employment is unsuitable. The individual should write to the HR Adviser stating their reasons and the position will be considered by the HR Adviser and the appropriate manager, who will consider the reasonableness of refusing a suitable alternative job and will take into account the individuals representations. Unreasonable rejections of what is regarded as suitable alternative employment may prejudice the making of a redundancy payment, where that person is at risk of redundancy. Any employee unreasonably refusing to accept an offer of suitable alternative employment with the council will be informed that this may affect their entitlement to a redundancy payment. In order to ensure the council's legal obligations have been met an employee may be offered a suitable job for which they may not have applied.
- 4.3 **Changes in Reporting Relationships.** For the avoidance of doubt where a post is defined as "unchanged" under this procedure a change in reporting relationship within the structure will not amount to redundancy.
- 4.4 **Disability.** Where an individual is covered by the Disability Discrimination Act reasonable adjustments will be considered in relation to their ability to undertake any new role and their ability to attend/participate in any required selection process. Flexibility in the application of the Redundancy and Redeployment procedure and this Allocations procedure should also be considered if applicable or appropriate to an individual employee's disability.
- 4.5 **Pregnancy and Maternity/Paternity Leave.** Employees who are pregnant or on maternity leave will, in accordance with employment law, be considered as follows;
- i) Pregnant employees will be considered equally with other colleagues in the application of this procedure;
  - ii) Employees on maternity/paternity leave who are ring fenced to a post will be treated in accordance with their statutory employment rights.
- 4.6 **Secondments and additional duties.** Employees will have the duties of any post to which they have been formally seconded considered as part of determining whether their post is "unchanged", "changed" or subject to "major change". where the secondment has been in continuous operation for 12

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months or more. Where an individual claims he/she has undertaken additional duties to their formal job description these will be considered as part of determining whether their post is “unchanged”, “changed” or subject to “major change” if their line manager agrees that the duties were necessary and have been performed for a period of 12 months or more.

4.7 **Support.** Support will be offered to staff as follows:

- i) The provision of the council’s appointed counselling service
- ii) Training or coaching in applying for jobs/undertaking specialist selection procedures (if applicable)
- iii) Provision of outplacement support for those employees granted VR or made compulsory redundant.
- iv) Employees have a statutory entitlement to reasonable time off with pay to seek alternative employment outside of the Authority as stated in paragraph 7.4 of the Redundancy and Redeployment Policy. For the purpose of this procedure “reasonable” will take into account individual and organisational circumstances and as a *guideline* up to two days per month of the individuals’ total notice period would be considered reasonable. For example an individual on 3 months notice may expect to get a total of 6 days paid leave. Staff requiring further time off should discuss the circumstances with their line manager first.

4.8 **Re employment.** Any former council employee, who is in receipt of an early retirement pension on the grounds of efficiency, redundancy or at their own request, should not normally be immediately re-employed by the council either on the basis of a contract of employment or a contract for service with the council. If there is any doubt about the continuing need for an individual’s services then severance should not be agreed.

However, it is recognised that there are some, very limited, circumstances when re-employment or engagement would be in the interests of the council. In these cases a report should be submitted to the Chief Executive or his or her nominated senior management representative seeking approval to re-employ/engage for a specified limited period.

Where an individual has been made redundant and receives a redundancy payment (and therefore without a pension) there should be no re-employment/engagement until the expiry of the period for which the number of weeks’ redundancy payment has been given, e.g. if the individual has received a redundancy payment equal to 16 weeks pay, the earliest re-employment/engagement could be considered would be 16 weeks after the date of termination. An earlier date may be approved by exception following authorisation by the Chief Executive but in all cases the minimum break of service will be four calendar weeks.

NOTE; If an individual in receipt of a Local Government Pension is re-employed their pension will be abated if in total their pension and pay for the job exceed the pay that they received in the job that they were in before they retired.

## 5.0 APPEALS

5.1 The right of appeal against redundancy is contained in paragraph 6.1 of the

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Redundancy and Redeployment Procedure.

### **6.0 STATUS OF THE ALLOCATIONS PROCEDURE**

6.1 This procedure does not confer any contractual rights and does not form part of an employee's contract of employment.

The council reserves the right to review this procedure in consultation with the Trade Unions and to make unilateral changes where appropriate at any stage of the restructure. All parties will have the opportunity to raise any concerns regarding the "ring fencing" process detailed in sections 2 and 3 above.

The council reserves the right to use an independent external HR Adviser.

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### SELECTION TO POSTS

1. Applicants will complete the standard Council application form. Where more than one post is applied for, the order of preference should be stated.
2. Selection for all posts will be made against the job description and person specification. Applicants meeting stated essential criteria will be short listed for the relevant post(s).
3. The Employee Appointments Committee, the Chief Executive and a HR Adviser will shortlist applicants for the post of Deputy Chief Executive and Borough Solicitor. The Employee Appointments Committee, the Chief Executive and/or the Deputy Chief Executive and a HR Adviser will shortlist applicants for the posts of Group Manager. The Employee Appointments Committee, the Chief Executive and/or the Borough Solicitor and a HR Adviser will shortlist applicants for the post of Head of Legal. The Group Manager and where appropriate their manager and a HR Adviser will shortlist applicants for the posts of Team/Operational Manager. The appropriate Manager(s) will shortlist applicants for posts below that of Team/Operational Manager.
4. **Deputy Chief Executive/Borough Solicitor.** Selection will take place through an assessment centre over two days.

Shortlisted applicants will be required to undertake Psychometric Testing and Executive Scenario testing on line prior to day one.

- i) Day One – Assessments and Competency interview. One hour interview assessing evidence of management competencies and TBC Corporate Management Values rated on 1-5 scale. Conducted by a HR Adviser. Candidates who score less than 3 on the competency interview will not be invited for interview on day two with the Employee Appointments Committee.
- ii) Day two - Presentation and interview with Employee Appointments Committee, Chief Executive and HR Adviser consisting of 15 minute presentation\* and 45 minute interview on knowledge, and skills for the post(s) rated on a 1-5 scale.

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5. **Group Managers/Head of Legal.** Selection will take place through on line Psychometric Testing and Management Scenario testing prior to two assessed interviews.
- i) Assessments and competency interview. One hour interview assessing evidence of management competencies and TBC Corporate Management Values rated on 1-5 scale. Conducted by a HR Adviser.
  - ii) Presentation and interview with the Chief Executive, Deputy Chief Executive/Borough Solicitor and a HR Adviser consisting of 15 minute presentation\* and 45 minute interview on knowledge, and skills for the post(s) rated on a 1-5 scale.
6. **Team/Operational Managers.** Selection will take place as 5 above except the presentation and interview will be undertaken by the Group Manager/Head of Legal to whom the manager reports, and where appropriate the next level manager and a HR Adviser.

. \*The presentation will be on a *generic topic common to all candidates consisting of a 10 minute presentation and up to 5 minutes questions.*

- 7 **Assessment and Rating.** The competency assessment will be rated on the following scale for each competency for the Deputy Chief Executive, Borough Solicitor, Group Managers/Head of Legal and Team/Operational Managers;

Rating	Level	
5	Outstanding	Meets all of the competency definition
4	Good	Meets most of the competency definition with a few minor areas of weakness or inconsistency
3	Acceptable	Meets most of the competency definition with several minor areas of weakness or inconsistency
2	Marginal	Meets some of the competency definition but with either a major area of weakness/inconsistency or frequent minor weaknesses/inconsistency.
1	Poor	Meets almost none of the competency definition
N/E	No Evidence	No evidence relevant to the competency was

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		observed.
Overall Rating (average)	(3=pass)	

The interview/presentation will be rated as follows;

Criteria	Examples	Rating	Notes
<b>Communication skills</b>	Confident, unhesitant and articulate when talking Uses appropriate language for audience Adapts pace and style to suit the audience Varies tone and intonation – expressive and interesting to listen to Keeps to the point Structures communication well	5 4 3 2 1 N/E	
<b>Corporate Awareness</b>	Understanding the whole organisation, its priorities and how they contribute Being flexible Taking a one council approach Ability to fit in a corporate structure	5 4 3 2 1 N/E	
<b>Demonstrates appropriate knowledge related to the service(s) to be managed</b>	Examples from specific post(s)	5 4 3 2 1 N/E	
<b>Demonstrates key professional skills related to the service(s) to be managed</b>	Examples from specific posts(s)	5 4 3 2 1 N/E	
<b>Political Sensitivity</b>	Takes account of the likely interest of a range of stakeholders, both internal and external Is sensitive to the representation of the organisation in the press and other media Utilises others to exert influence on their behalf	5 4 3 2 1 N/E	
<b>Strategic Focus appropriate to</b>	Keeps a focus on long term goals	5	

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<b>the level of the post in the structure</b>	Relates the team efforts to goals Thinks on a broad canvas Explores the impact of the wider context on the council when making decisions Ensures that meeting customer needs is the basis of change Drive change that adds value to all stakeholders, including staff	4 3 2 1 N/E	
<b>Demonstrates Leadership Values appropriate to the level of the post in the structure</b>	Supports colleagues to achieve common goals Supports team decisions once made despite reservations Sees service through the eyes of customers and partners Continuously drives for excellence Takes personal responsibility for achieving outcomes Committed to the future of the borough	5 4 3 2 1 N/E	
<b>Demonstrates required skills as set out in the person specification for the role</b>	Examples from specific posts(s)	5 4 3 2 1 N/E	
<b>Overall Rating (average)</b>			

The final assessment will consider the overall scores from each selection exercise:

- A candidate with an overall result of below 3 on any exercise may not be considered appointable.
- A candidate with the highest rating over the exercises will be considered as the appointable candidate to a post. Where more than one post has been applied for the panel will determine by reference to the evidence in the interview the post the candidate is most suited to and take into account the candidates own preference where possible.
- Where the rating profile for two or more candidates from the exercises is equal the appointments panel will review the detailed evidence from both to determine the successful candidate for any specific post and record the reason for their decision.
- The panel may determine not to appoint in the light of evidence of a significant weakness demonstrated through the assessment process that even with the opportunity for development it is concluded the candidate would be unsuitable. A record of any such decision will be made.

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**7 Posts below that of Team/Operational Manager.** A formal selection process will be undertaken appropriate to the level and nature of the post. Staff will be interviewed by the appropriate manager(s) and a HR Adviser.

**8 Specialist Professional Adviser.** The Chief Executive/Deputy Chief Executive may wish to appoint a specialist professional adviser to advise the Employee Appointments Committee/interview panel as necessary.

The Council reserves the right to review this procedure in consultation with the Trade Unions and to make unilateral changes where appropriate. The HR Adviser may be external to the Council.