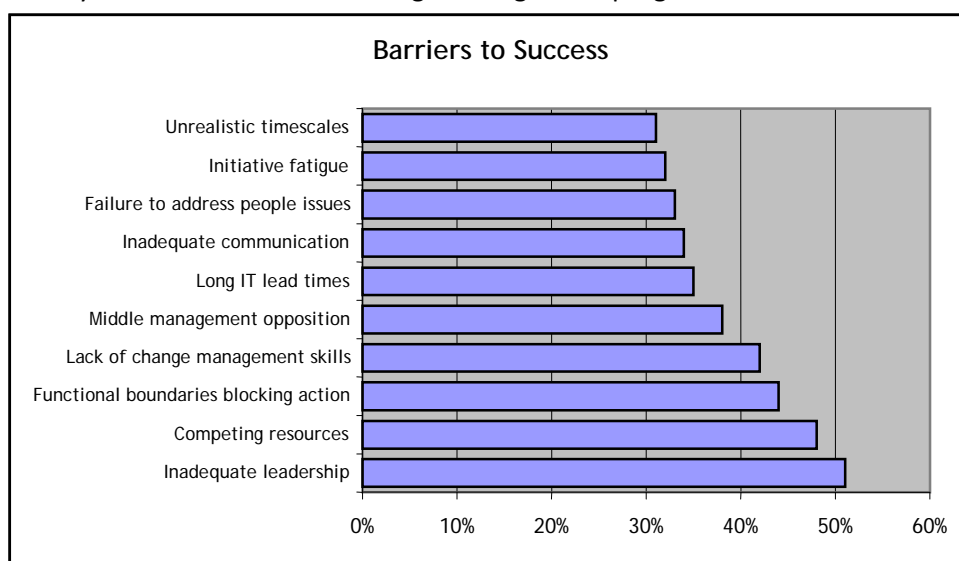


**Workforce Issues and Total Place – Breakout 3**  
**Handout - Contractual Issues - 10 December 2009**

The Total Place initiative has the potential to transform the shape of local public service delivery. It looks at how a ‘whole area’ approach to public services can lead to better services at less cost. At the heart of Total Place is a counting process that maps money flowing through the place, from all central and local bodies, and makes links between services, to identify where public money can be spent more effectively. Working across organisational boundaries is already taking place in councils ie partnership and other forms of collaborative working. The difference with Total Place is bringing all of that together and giving it a single focus.

In Total Place, as in any other change management situation, communicating with employees will be a key issue and needs to be addressed earlier than many technical issues such as pensions and TUPE. Putting people into new organisational contexts imposes change and a new set of expectations concerning roles, responsibilities, relationships and behaviours. If this is managed well the resultant synergies can radically improve performance; if managed poorly, organisational and relationship fractures will undermine the partnership and performance will falter.

The key barriers to success in change management programmes of new and developing organisations are:



**Source: CLG Community Housing Taskforce**

In any collaboration project the workforce issues arising from such projects e.g. job losses should not be underestimated as experience has shown that they often have political consequences or result in unexpected costs. They are not just a technical matter for human resources departments.

Elected members and senior managers should ensure the following people issues are addressed in the outline business case and when evaluating options;

- Which council or other public sector body will employ the staff of the new service and where will they be located?

- Does the strategy include any non-efficiency elements e.g. economic development which may reduce the need for job losses?
- Have strategies for communicating and consulting with staff been developed?
- Do the partner councils or other bodies have the HR and change management capacity required for the project, eg how will they manage?
- If there are planned redundancies how much will they cost and will the partner councils share the costs?
- If the project requires staff to move, will they be transferred under TUPE or seconded to the new employer?
- Is there scope for the redeployment of staff to other functions within the partner councils/ other public sector bodies?
- How will staff be selected for the new service?
- Does the Business Process Review include a staffing audit and has it considered the workforce implications of changed working practices?
- Is there scope for more flexible working hours and/or remote working options in the new service which may reduce costs but also provide less disruption and new opportunities for staff?

### Working together

The Total Place Partnership may consist of two or more different public sector groups (e.g. Local Authority and NHS) or a simple co-location of two or more organisations delivering similar services under a common infrastructure (e.g. a joint customer contact centre combining a number of different organisations).

In general terms, it is at the stage of co-location that the more complex staffing issues are likely to arise.

### Working practices

HR members of the Total Place Partnership project team will need to be consulted closely on some major issues which will require attention and review. As an example:

- Who will be the actual employer?
- Does TUPE apply in an outsourcing process?
- Will staff be co-located / seconded on current terms and conditions?
- Will a hybrid new contract be constructed that is common across the organisation but adopted by each partner under its own “masthead”?
- How should the issue of “harmonisation” be managed, in order to respect TUPE rights, facilitate integration and avoid a two or multi-tier workforce?
- Will contracts need to be amended to reflect the new location or a new mobility clause embedded in the contract?
- Which suite of Policies and Procedures will be adopted – again will a hybrid set be adopted and if so will they need to be negotiated in with staff representatives?

This list is not exhaustive but rather indicates the level of care that is needed to establish a clear and transparent employment contractual arrangement.