

**AGENDA ITEM No. 5**

PEAK DISTRICT NATIONAL PARK AUTHORITY  
NATIONAL PARK AUTHORITY SPECIAL MEETING

31 JULY 2009

CORPORATE RESOURCES

**1. UPDATE TO THE MANAGING CHANGE POLICY (A12/DU)**

**Purpose of the report**

1. To approve an update to one of the Authority's employment policies; the Managing Change Policy.

**Recommendations**

2.
  1. **Approve the updated Managing Change Policy at appendix 1**
  2. **For the new policy to be effective immediately.**

**How does this contribute to our policies and legal obligations?**

3. This employment policy guides the management of change to the organisation structure and change to individual posts. It is important that it is updated to ensure that corporate outcomes K1(Well run public body) and K3 (Valuing and developing Staff) are met. Also, that change is managed within employment legislation and pension scheme regulations.

**Background**

4. This policy was last updated in October 2006 (minute ref 86/06). Since then there have been 4 drivers which prompt a further update.
5. Whilst the fair treatment of fixed term contract staff is mentioned under section 3 'scope' of the current policy, the proposed updated policy is explicit on how the ending of fixed term contract staff have been managed since the implementation of the Fixed-Term Employees (Prevention of Less Favourable Treatment) Regulations 2002. These regulations require the equal treatment of fixed term contract employees unless there is a justifiable reason to treat them differently. As a consequence the updated policy clarifies that
  - a) The employment in fixed term contracts is fixed by the funding available (usually external funding), to achieve specific outcomes during the term of the contract. It is justifiable therefore not to award the 12 week redeployment period to fixed term contracts given the expectation is that it will end on the date specified and that there is no funding to extend the contract to implement a 12 week redeployment period.
  - b) Fixed term contract staff must receive contractual notice of the actual date of the end of their contract (not least because some fixed term contracts are extended several times if additional funding can be secured) and must be pooled for first consideration for suitable alternative employment before vacancies are advertised during that notice period.

6. The second driver is to reflect changes to the Local Government Pension scheme
  - a) That the pension of staff employed prior to 1 April 2008 remains  $\frac{1}{80}$ th of pay for pension purposes during the last year multiplied by the period of membership (adjusted for part-time working if applicable) or reckonable service and a lump sum of  $\frac{3}{80}$ th of pay for pension purposes during last year multiplied by the period of membership (adjusted for part-time working if applicable) or reckonable service Or a new option of  $\frac{1}{60}$ th pension and no lump sum.
  - b) That the pension for staff employed from 1 April 2008 is a pension based on  $\frac{1}{60}$ ths and no lump sum.
7. The third driver is the learning from an employee grievance that there might be some ambiguity in the Early Retirement Scheme. The updated policy is clear that it is Resource Management Team which has the delegated authority in Standing Orders to determine applications for Early Retirement (Employers Release) and that as a consequence the Early Retirement Panel is no longer required.
8. The fourth and final driver whilst updating the policy is to present it in the 'house style' for Human Resources & Performance policies developed in 2008. This style has a short policy statement and more detailed guidance notes. The policy statement is that which would require approval for any changes by Committee. The guidance notes can be updated through consultation with Management Team, UNISON and staff committee representatives. Whilst it is just the policy which members are required to approve, the guidance notes are also attached on this occasion for information only.

### Proposals

9. To approve the updated Managing Change Policy with immediate effect for the reasons given under background to this report. If the updates are not approved the policy would not give the clarity to the treatment of fixed term contract staff, would not reflect the changes in the pension scheme, would not address the possible ambiguity in the Early Retirement scheme and would not be in the new 'house style'; all of which are recommended as being required.
10. The updated policy should be effective immediately and all staff will be informed in writing.
11. The updated policy and it's guidance notes will remain under review and subject to future updates in response to new drivers for change.

### Are there any corporate implications members should be concerned about?

12. This policy is a change to the employment contract for all staff.
13. **Financial:** There are no specific financial requirements to enable implementation of the updated policy as change management is usually financed within the staff budget.
14. **Risk Management:** The implementation of the updated policy mitigates the risk of unfair or out of date management of change.
15. **Sustainability:** The policy will remain under review and be updated as necessary over time to ensure it continues to meet the corporate outcomes of K1 and K3 and

remains within employment legislation and pension scheme regulations.

16. **Background papers** (not previously published)  
None

**Appendices**

Appendix 1 - The updated Managing Change Policy for approval and also it's guidance notes for information.

**Report Author, Job Title and Publication Date**

Deborah Unwin, Head of Human Resources & Performance, Thursday 23 July, 2009