

HR Committee

16 February 2023



Report of: Director: Workforce & Change

Title: South Bristol Rehabilitation Centre – information report

Ward: City Wide

Officer Presenting Report: James Brereton (Head of Human Resources)

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Recommendation

That the Committee notes the report.

Summary

This report is in response to the Committee's request for further information about the closure of the South Bristol Rehabilitation Centre in 2022.



Policy

1. The Council's Managing Change Policy sets out its approach to consulting on proposals and implementing change, including the closure of services.

Consultation

2. **Internal**
Cabinet member for Adult Social Care & Integrated Care System, Executive Director Adults & Communities, Director Adult Social Care.
3. **External**
None because this report is for information only.

Context

4. The Council completed a review of the South Bristol Rehabilitation Centre (SBRC) in 2021, following increasing evidence that the current arrangements might not have been the most appropriate and effective way of meeting service users' rehabilitation needs and following a direct request from NHS partners. Very few local authorities provide rehabilitation services directly, and there is no statutory duty to do so. This resulted in a proposal to transfer the SBRC to Sirona Care & Health (Sirona, the Bristol, North Somerset and South Gloucestershire (BNNSSG) commissioned community health services provider) and a report on this was considered by Cabinet in November 2021, at which a request was made for an options appraisal on the future of the SBRC.
5. The options appraisal was completed and a recommendation presented to Cabinet in January 2022. The preferred option at that time was for the Council to transfer the services provided at SBRC to Sirona. Cabinet agreed the recommendation in principle but specified that a finalised proposal should come back to Cabinet for approval. Consultation with affected colleagues regarding transfer of employment to Sirona started in February 2022.
6. Towards the end of March 2022, a change in circumstances with Sirona led to them deciding not to pursue this option, so the Council's alternatives became very limited, and the proposal changed to one of closure of the SBRC, which was approved by Cabinet in May 2022. Affected colleagues were updated on the change at meetings in April and May 2022. One-to-one meetings continued into June 2022 as the focus shifted to securing alternative employment within the health and care system for as many affected colleagues as possible.
7. The SBRC closed to service users in July 2022. Between June and December 2022, a mixture of direct offers, compulsory redundancies and voluntary severances were agreed. Of the 33 staff based at the SBRC, 20 left through voluntary severance, nine were redeployed to other Council jobs, three were made redundant and one left by mutual agreement.
8. Rehabilitation services are provided by Sirona at South Bristol Community Hospital. The closure of SBRC has secured a permanent budget saving to the Council of £500k.

9. As heard by the Committee at its September 2022 meeting, feedback from affected staff and trade union representatives raised concerns around communications during the change process and left some colleagues not feeling valued and cared about by their managers. There are also concerns about the length and cost of the change process.
10. The change of circumstances with Sirona was unfortunate, particularly as affected colleagues had been briefed on the proposals, and the move of focus from transfer to closure of the SBRC came as a blow to an already unsettled team. Whilst discussions with Sirona were positive and undertaken in good faith on both sides, on reflection the management side agree that if a similar situation arises in the future, a formal written undertaking (eg, "letter of intent") should be in place before proposals are published and communicated to affected colleagues.
11. The length and cost of the change process was not unusual by Council standards, particularly as the closure of a service or significant part of a service implies that redundancy costs will be at least a consideration if not a feature. The Council's Managing Change Policy is sufficiently flexible to be tailored to the specific circumstances of each change situation. The over-riding aim of the closure project was to secure alternative employment for those affected, and this dictated the pace of the process and the order in which the various options were considered/deployed. It would have been equally legitimate to have issued all those at risk of redundancy with their formal notice 12 weeks prior to the closure of the SBRC, although this could have impacted negatively on the number of colleagues for whom redeployment was secured. One key change since the SBRC closure has been an internal HR decision to return to a "matching" approach to redeployment in which HR will now proactively match redeployees to jobs that are believed to be suitable. Prior to this the onus was on those at risk of redundancy to apply for vacancies, which can be liberating for some and disabling for others.
12. Follow-up sessions with stakeholders have offered the following reflections/recommendations:
 - 12.1. The SBRC closed and the service transferred to Sirona with minimal impact on citizens/service users.
 - 12.2. Meetings of managers, staff and trade union representatives held virtually enable information to be shared consistently across the workgroup, though colleagues also appreciate face-to-face meetings where it can be easier for more voices to be heard.
 - 12.3. Regularly updating colleagues between meetings by e-mail can work well.
 - 12.4. Councillors should be briefed and kept informed of progress where changes are being made to services delivered from their wards
 - 12.5. Staff should be involved in developing options for the future of services.
 - 12.6. Consideration of TUPE and the option of seconding staff to a transferee (new employer) need proper and early exploration in conjunction with support services (HR, Legal Services, Finance) before wider discussion or the making of proposals through the Decision Pathway.
 - 12.7. It's important the prospective transferee (new employer) is represented at staff meetings to explain and reassure colleagues and trade union representatives on what would and would not change if the transfer were to take place.

- 12.8.** Context is key: where colleagues feel undervalued or that their work situation is not understood by those making recommendations or taking decisions on the future of the service, change will require more inputs.
- 12.9.** In talking about forthcoming change, leaders need to be open and honest as well as respectful and valuing of the audience so that colleagues feel supported. They also need to have sufficient information to answer questions thoughtfully or if they can't explain when they will be able to do so.
- 12.10.** Having a clear, timebound plan for implementation of change is essential, though it needs to have some flexibility to adapt to events that might be encountered along the way.
- 12.11.** Change can be difficult for those impacted by it and those leading it – and sometimes a leader is also impacted by the change they are leading. Where problems emerge, it's important to bring the parties together to explore and resolve differences, pausing the change if necessary/possible to allow this to happen. Support needs to be available and promoted to all involved.
- 12.12.** Where a reduction in staffing levels is anticipated, leaders of change need to be clear on what options will be considered. Voluntary severance is generally a popular option, and if it's not going to be used then leaders need to be prepared to explain why. Likewise, if things change and it becomes an option then leaders need to explain.

Proposal

- 13.** That the Committee notes this report.

Other Options Considered

- 14.** None.

Risk Assessment

- 15.** None because this report is for information only.

Public Sector Equality Duties

- 16a) Before making a decision, section 149 Equality Act 2010 requires that each decision-maker considers the need to promote equality for persons with the following "protected characteristics": age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, sexual orientation. Each decision-maker must, therefore, have due regard to the need to:
- i) Eliminate discrimination, harassment, victimisation and any other conduct prohibited under the Equality Act 2010.
 - ii) Advance equality of opportunity between persons who share a relevant protected characteristic and those who do not share it. This involves having due regard, in particular,

to the need to --

- remove or minimise disadvantage suffered by persons who share a relevant protected characteristic;
 - take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of people who do not share it (in relation to disabled people, this includes, in particular, steps to take account of disabled persons' disabilities);
 - encourage persons who share a protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.
- iii) Foster good relations between persons who share a relevant protected characteristic and those who do not share it. This involves having due regard, in particular, to the need to –
- tackle prejudice; and
 - promote understanding.

16b) None because this report is for information only.

Legal and Resource Implications

Legal

None because this report is for information only.

Financial

(a) Revenue

(b) Capital

None because this report is for information only.

Land

Not applicable.

Personnel

None because this report is for information only.

Appendices:

None.

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

Background Papers:

None.