

Impact Assessment & Disaggregation Options Review

Document Type	Impact Assessment & Disaggregation Options
Project No.	0038
Project Name	Disaggregation – LIVE (Learning, Independence, Volunteering and Employment)
Audience for this document	
<p>Joint Directorate IAA Working Group NNC Transformation Board WNC Transformation Board Joint Officer Board Joint Committee Shared Services</p> <p>TBC-GOVERNANCE UNDER REVIEW</p>	
Purpose of this document	
<p>This document is used to assess the impact of identified options to meet project objectives. It enables the systematic and objective evaluation of the impact of the recommended approach to achieving the desired outcome, for consideration.</p>	

Document Control

Version History			
Date	Version	Author	Brief Comments on Changes
27/10/21	1.0	Colette McDade	Initial draft version for review-West info
1/11/21	1.1	Katie Brown	KB minor amends
15/11/21	1.2	Colette McDade	North amends
15/11/21	1.3	Tim Pack	Amends based on clarifications
15/11/21	1.4	Tim Pack	Further suggestions

Distribution (For Information, Review or Approval)	
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Katie Brown	R
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(1) Responsibility: R=Review, A=Approval, I=Information

Document Approval	
Date	Who
	Joint Directorate IAA Working Group
17/11/21	North Officers Transformation Board
22/11/21	Joint Officer's Board
15/12/21	Joint Committee Shared Services

1. The Business Challenge - Emergency Planning disaggregation

1.1 Background

LIVE (the 'service') is a specialist enablement day service that raises learning, independence, volunteering, and employment aspirations for adults with learning disabilities, referred from Adult Social Care (ASC). LIVE is an enabling service that reduces customer need for current and future intervention and specialist services and increases customer economic and financial independence through gaining paid employment. The Service objective is to support customers through their bespoke LIVE journey to progress into unsupported community and employment inclusion. The service is non-statutory and is currently hosted in the North and provided to the West.

The Blueprint agreed under the Future Northants Programme for both Councils was that this service would be disaggregated after vesting day. It was agreed that the service would initially be hosted in the North for a period of 12 months.

A Fact Check review was conducted through the Transformation Team during May 2021 to gather detailed information to aid decision making for disaggregation. The Shared Service Joint Committee of 7th October 2021 decided to approve the change request to proceed with implementing the disaggregation of the LIVE service subject to JC approval and Trade Union consultation.

1.2 The Service

The service has historically been delivered from five locations around the county, aligned to the district and borough councils prior to vesting day. Two of these locations are in the West.

West

- The Cottage, Northampton
- Delivery Riverside, Towcester

North

- Drovers Hall, Kettering
- Harrowden Road, Wellingborough
- St Marks Road, Corby

It was agreed during the Future Northants programme which ended in March 2021, to TUPE all staff within this service North, believed to be due to the fact that most staff were based in the North geography. The teams at each of these locations have continued to deliver to the same geography and operate as usual throughout the move to unitary.

The team fulfil a wide range of activities including the provision of support with social care, Adult Social Care Outcomes Framework (ASCOF) reporting, running day centres and the delivery of Independent Travel training which generates an income stream for the service.

The Team Manager currently sits in the North and manages EADS and LIVE, with Team Leaders in each hub managing front line teams for each area. Everyone in this service work with end users, including the team leaders when required

There are 28 permanent positions in the LIVE Team countywide, excluding the Team Manager; (Team Manager sits across both LIVE & EADS services)

Based on location, there are 10 employees allocated to the West and 18 in the North

The team consist of the following posts and individuals:

GRADE OF POST	JOB ROLE	NUMBER OF POSTS	HOURS	FTE	VACANT HOURS/FTE	COMMENTS
J	Team Leader	1	37	1	0	Based in West
J	Team Leader	2	59.5	1.61	0	Based in North
G	DCO	4	111.5	3	0	Based in north
G	DCO	4	133.5	3.61		Based in West
F	CSW	4	133.5	3.61		Based in North
D	CSA	5	164	4.43		Based in West

D	CSA	7	222.5	6		Based in North
F	BSA	1	18	.50		Based in North
E	Site Supervisor	1				

The intention (subject to Joint Committee approval), is to disaggregate/separate the team so that North and West can manage their own teams individually.

In the current LIVE structure, the Team Manager (Grade L) is a singular position but is responsible for the EADS service as well as LIVE. It is not anticipated the Team Manager will be included in the disaggregation process. The West will absorb the west element of LIVE Team into our existing day service management structure and therefore they will be totally separate.

There is no intention to reduce the total number of posts or to create redundancies, or to invite voluntary redundancies.

Due to geographical location of the services and employee assignments to specific locations between West and North, it is expected this will facilitate the ease of disaggregation process.

1.3 Outcomes to be Achieved

- The implementation of a disaggregated LIVE service, operating independently in the North and West Northamptonshire Authorities.
- Alignment with corporate strategy – Shadow Authorities agreed to establish separate LIVE services for WNC and NNC in line with the Future Northants Blueprint.
- Ensuring successful continuity of essential partnership arrangements and commitments with minimal disruption to customers and the team.

2. Scope

2.1 In scope

The intention is to establish two individual LIVE teams for WNC and NNC in line with the Future Northants Blueprint. This review is to assess the potential impacts of this course of action on the LIVE service within WNC. This paper will also outline alternative options that may need to be considered.

Points of consideration include:

- Staff contracts and structures
- Policies impacts
- Process effectiveness
- GDPR implications
- IT implications

- Budgetary considerations
- Accommodation requirements and impacts

2.2 Out of scope

Although there is an appetite for some transformative action within the service, this will remain out of scope with the focus remaining solely on the effective disaggregation of the service. Key transformational needs can then be considered by each respective authority, in line with their own strategic direction and transformation aspirations.

Quality monitoring is currently performed in the West for both authorities. This may need to change later but there is no requirement for it to be completed within this project.

3. Disaggregation Impact Assessment – Key Considerations

3.1 People

The staff are already aligned to one of the two authorities by their geographical location, meaning any alignment decisions appear to be straight forward, although this is dependent on HR principles once they are signed off. The exception to this is the Team Manager, who is contracted to and based in NNC. It is proposed that the staff who remain in the North will continue to report into the existing Service Manager. Instead of mirroring this role in WNC and incurring increased staffing costs, it has been suggested that the West team could instead report into the existing Day Service Manager in the West.

These assumptions would obviously be subject to any consultation discussion.

Currently the majority of the team are on National Minimum Wage, however a pay award is currently under negotiation which may make the role more attractive from this perspective. The roles within the team consist of attractive working hours varying between 8am - 5pm. It is not anticipated that these roles would be difficult to recruit into, should vacancies arise.

It is vital that communication with the team is started at the earliest possible opportunity and a full communications approach is agreed to ensure ongoing information sharing as appropriate. This cannot be started until the Trade Unions have been informed of the intention to disaggregate, to ensure they are informed and ready to support their members. The communications activity must be included in the project delivery plan.

3.2 Change Management

An engagement plan with the team members must be developed – to include 1:1s, team meetings and other relevant processes to assist with the management of the change process. This will form part of the overall project plan and will require the input of a Change Manager to ensure the very best practise is being applied.

Whilst the team knew this was a potential risk, to date no communication has been shared with the team regarding this and any communications should be managed as such.

Although the disaggregation itself is anticipated to be simple, it would be in the best interests of both the team and the organisation to ensure that consultation timescales are sufficient to

enable effective engagement with the team, expected to be 30 days. Communication from the team manager is imperative at the earliest opportunity to maintain staff engagement.

Engagement with the Trade Unions is also required throughout the project and consultation process to ensure good practise is observed.

3.3 Equalities Impact

An EqIA is not expected to be required.

Given that redundancies are not expected, it is not anticipated that there will be any immediate changes to working location or conditions so it can be assumed that there will be no impact to any staff member with protected characteristics.

Nor is it anticipated that there will be any impact to customer journeys, in terms of working practises, quality of support or accessibility

3.4 HR & Payroll

Any HR operational and ERP changes, including change to payroll timelines must be considered and built into the implementation plans.

It is expected that activity to cleanse the respective systems of non-essential information will be required.

3.5 Customers

It is not anticipated that there will be any impact to customer journeys, in terms of working practises or quality of support. However, when a proposal is agreed it would be advisable to contact customers by letter to inform them of the changes and reassure them of this.

Some change to websites content (including disaggregation of content on the former NCC website) may be required – this will need to be planned in alongside the broader change requirements agreed within the websites programme of work

3.6 Environmental Factors

The service for the West currently operates from two locations:

- The Cottage, Northampton
- Delivery Riverside, Towcester

No changes to this are anticipated.

3.7 Partnership Arrangements

There are no partnerships within the service

3.8 Technology/IT

Some of the IT provision has already been split by authority. The service only operates using in house systems, but they do not tend to use it, therefore, minimal impact is expected. Systems in use are:

- Cygnum (primary database used)
- Carefirst
- Eclipse (Customer data held by ASC)

On a day-to-day level, the service uses standard Microsoft applications such as Excel, Outlook, Word etc, which will continue to be supplied via corporate provision.

The Cygnum project is ongoing with a go live date estimated in January, any dependencies with this will need to be managed and some data cleanse may be picked up as part of that project. The go live for this is January 2022.

A DPIA will be put in place as part of the project to ensure regulatory compliance.

3.9 Contractual Changes

There will be a need to close Purchase Orders in NNC and reopen them in WNC ERP to ensure contractors can be paid in a timely manner. These contracts consist of basic arrangements such as cleaning, rent etc. This activity will need to be captured as part of the delivery plan, but no complexities are anticipated with the contracts in question.

The service in the West has access to a vehicle, which is currently paid for by contract with the North. This arrangement will need to be changed, with the West fleet providing it directly.

3.10 Budgets / Finance

Agreed Disaggregation Principle	Current Budget Disaggregation		Prefencing/Spending		Prefencing/Spending - Residing Costs	
	West	North	West	North	West	North
Staff Costs - Overarching Adult Social Care Client % split						
Vehicle Costs - Total Staff Costs split %	518,855	549,769	518,855	549,769	-	1,068,624
Other costs - Overarching Net split %						
Income - Total Client Income split %	48.6%	51.4%	48.6%	51.4%		

Finance piece needed to reconcile how costs will be shared. Possible approach could be to calculate owed to North on go live date for what we owe for use for rest of the year. Clarity needed?

Budgets for the West and the North must be able to support the team costs and any future transformation costs once disaggregated.

3.11 Statutory / Legal

Formal TUPE transfer of staff from North Northants Council to West Northants Council

- An Exit Strategy for the IAA schedule will be put in place once legal advice has been sought. This will include elements such as performance along with other areas such as outstanding court proceeding, and other relevant information needed to hand a service back to the West Northants Council.

3.12 Policies

Relevant policies need to be reviewed and updated to ensure they remain fit for purpose following disaggregation and are agreed for the respective Authorities.

3.13 Data Protection / GDPR

The following table details the data processor arrangements pursuant to the UK GDPR Article 28

LIVE (Hosted)	
Description	Details
Identity of the Controller and Processor	The Parties acknowledge that for the purposes of the Data Protection Legislation, the West Northamptonshire Council is the Controller and the Contractor (North Northamptonshire Council) is the Processor.
Subject matter of the processing	To support customers through their bespoke LIVE journey to progress into unsupported community and employment inclusion LIVE delivers learning, independence, volunteering and employment focussed support to adults with complex disabilities often know to Adult Social Services.
Duration of the processing	Hosted for 12 months (may exceed)
Nature and purposes of the processing	Amongst other related activities personal data will processed for the specialist supported employment team to, increase learning, independence, volunteering and employment aspirations for customers
Type of Personal Data being Processed (e.g., Name, dob, address)	Name, contact details, health, ethnicity



LIVE (Hosted)	
Description	Details
Categories of Data Individual (e.g., staff, client)	Members of the public
Plan for return and destruction of the data once the processing is complete UNLESS requirement under union or member state law to preserve that type of data	The Data Processor will process the data for the duration of the contract and no data will be retained beyond this date. Personal Data shall be returned to the data controller in a secure, and accessible format (to be agreed by 30 th June 2021) and any residual personal data shall be permanently destroyed using formal procedures that comply to relevant industry standards. On receipt of the returned personal data to the Data Controller shall retain it in line with the Council's retention schedule.
Lawful basis	UK GDPR Art 6,1(e) processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller; DPA 2018 – Schedule 1 <u>Part 1</u> <i>Para 2: Health or social care purposes</i> <u>Part 2</u> <i>Para 6: Statutory etc and government purposes</i> <i>Para 8: Equality of opportunity or treatment</i> <i>Para 16: Support for individuals with a particular disability or medical condition</i>

To remain compliant with GDPR Regulations, the requirements regarding ‘return and destruction of data’ will need to be incorporated and delivered through the overall delivery plan.

A DPIA will be required to ensure all legal and compliance aspects have been actioned and recorded appropriately.

3.14 Communications and Engagement

Internal:

A comprehensive communication and engagement plan is advisable, particularly with stakeholders directly or indirectly impacted by the changes. This will keep key stakeholders informed and engaged and help to minimise negative impacts on the team.

A Change manager should be engaged to help establish and implement a best practise approach.

External:

It is not anticipated that there will be any noticeable impact to customer journeys, however, direct, and indirect communication with key customers is advisable.

Some change to websites content (including disaggregation of content on the former NCC website) may be required – this will need to be planned in alongside the broader change requirements agreed within the websites programme of work. This may need to occur after direct customer communication to avoid customer confusion.

A Change manager should be engaged to help establish and implement a best practise approach.

3.15 Seasonal Impact

There are no aspects of seasonality to be considered within the service. However, when planning project timelines consideration will need to be given to availability of key enablers such as HR and Business Systems.

Any change freezes for key systems and process will also need to be identified, such as ERP Gold.

Given the likely timeline, availability of key project resources and subject matter experts may be impacted by the Christmas holidays and the end of the financial year when staff may be using up excess annual leave.

Consideration should be given to all the above factors during project design.

4 Disaggregation Options

It was agreed at the Shared Service Joint Committee on 7th October to continue with the disaggregation of the LIVE service with staff transferring to West Northants Council who deliver the service from the 2 existing west locations. Therefore, there is no need to consider alternative options as the only alternative is to delay the disaggregation, which was considered not an option at the Joint Committee on 7th October.

4.1 Option - Disaggregate	
Criterion	Comment
Description	The service would be disaggregated, there would be two teams supporting the North and West frontline service
Advantages	<p>Staffing - Teams are already split geographically. There are teams in Towcester, Wellingborough, Kettering, Corby and Northampton. Team leaders would be easy to align due to the current structure, there is already a team leader based in the West and two in the North.</p> <p>Assets/Premises – Already geographically split. Referrals are already town based. If premises and customers were split it would be an easy process.</p> <p>IT and Information Governance - The service does not tend to use the in-house system, splitting the service is not anticipated to cause</p>

	<p>any IT issues. However, there may be dependencies with the Cygnum project that will need to be managed as they become known.</p> <p>Data Controlling/Data processing/ GDPR – The service already provides support in terms of the customers local Geography and therefore there is no need to share information between the North and West.</p>
Disadvantages	<ul style="list-style-type: none"> • Cost of project activity • Service support required to deliver may impact on short term performance -or- project delivery timeline impacted to preserve service performance • Further staff consultation and associated risks
Timeframe	Disaggregation could be achieved quickly, providing the anticipated approach to have the team report into the existing Team Manager can be implemented. Current preferred go live date of 31/3/22.
Cost	No additional costs identified
Resource	No resource implications identified
Risks	<ul style="list-style-type: none"> • Possible negative impact on team engagement • Availability of enabling functions to support the target timeline

4.2 Option - Delay Disaggregation	
Criterion	Comment
Description	The service would remain 'as is' supporting both North and West frontlines LIVE services
Advantages	<ul style="list-style-type: none"> • No additional costs • Seamless customer experience • No need to revisit staff contracts • No enabler resource required
Disadvantages	<ul style="list-style-type: none"> • Timeline for remaining 'as is' is unclear • Misalignment with the agreed Future Northants Blueprint
Timeframe	No additional time required
Cost	No additional costs identified
Resource	No resource implications identified
Risks	Timeline for remaining 'as is' is unclear, may cause staff uncertainty

5 Recommendation

It is recommended that the board :

- A) Endorse the proposed disaggregation/separation of the LIVE service to be completed by 31st March at the latest and geographically split between North Northants and West Northants Councils.
- B) Budgets were split at the point of Unitary creation in April 2021 and there are no notable budgetary impacts for this change
- C) A 50/50 split is proposed
- D) There is no intention to reduce the total number of posts or to create redundancies, or to invite voluntary redundancies.

6 Risks

The below table identifies the key risks associated with the project itself and the disaggregation activities.

Risk	RAG Score	Mitigating Action
Legal implications regarding HR processes and consultation	8 (A)	Work closely with HR and the team to ensure ongoing alignment and unearth any issues early.
Basic disaggregation followed by transformational activity will result in two change curves for the team, there may be a risk of disengagement later down the line if/when the team fatigues.	9 (A)	Put a strong communication and engagement plan in place for the team to ensure ongoing engagement. Survey team at key stages to understand impacts of ongoing action on engagement.
Risk of negative impacts on staff resulting in low staff morale, low efficiency, and staff turnover	4 (G)	Put a strong communication and engagement plan in place for the team to ensure ongoing engagement. Survey team at key stages to understand impacts of ongoing action on engagement.
Capacity and accessibility of service to carry out/support disaggregation work due to responding to other priorities and situations	8 (A)	Ensure project plan is shared and service have assigned resource to support. Identify supporting staff who can support in the absence of key contacts.
Enabling functions in IT, HR, Property, Legal and other areas may not be available to support the work at the times required.	20 (R)	Develop a comprehensive implementation plan (with realistic timescales for delivery) as early as possible, to understand/address early the potential pinch points and plan availability of resources Seek confirmation as soon as possible from Enablers Group regarding allocated resources

If online/customers facing changes are not made effectively and on time, may result in distress for the service user	9 (A)	Webpages and customer facing content need to be changed at the same time as customers are directly informed to avoid confusion.
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7 Dependencies, constraints, and assumptions

7.1 Dependencies

The only option is to disaggregate the service now or leave it until later. The Shared Service Joint Committee at their meeting on 7th October have agreed to bring this forward to be done within this timescale so it is recommended to approve this as there are no negative outcomes for service or customers by doing it now rather than leaving it until later.

7.2 Constraints

- Intention is to disaggregate in such a way that the teams maintain consistent resource levels within each authority that they had prior to disaggregation.
- No intention to reduce the number of posts or create redundancies or invite voluntary redundancies.
- Team preferences to be taken into consideration alongside establishing the business and operational need for both authorities to match posts to deliver need.
- Customer contact and information: webpages and customer journeys need to be identified and updated to establish separate journeys. Any change work for websites will need to coordinate with agreed websites change timelines.

7.3 Assumptions

- Posts and individuals to be transferred to the West to be subject to TUPE arrangements.
- IT can be disaggregated in a straightforward way in the timescales requested
- IT, HR, Legal and other enabling functions will be available to carry out and support change work at the times required – this must be confirmed and planned into the project plan.

8 Next steps

8.1 Outline project plan*

Initial plan contains the governance dates only, further actions will be identified with owners to deliver subsequent activities required.

Task Name	Start
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Trade Unions agree disaggregation principles NORTH	Fri 12/11/21
Trade Unions agree disaggregation principles WEST	Fri 12/11/21
Submit Info Paper and cover for DCF Pre-Read WEST	Tue 16/11/21
Submit Info Paper for DCF Pre-Read NORTH	Wed 17/11/21
Deadline for Joint Committee (Shared Services) Briefing Papers	Thu 18/11/21
Deadline for Joint Directorate IAA Working Group Meeting papers	Mon 22/11/21
West ELT Meeting	Mon 22/11/21
North CLT Meeting	Tue 23/11/21
Trade Union DCF Meeting WEST	Mon 22/11/21
Trade Union DCF Meeting NORTH	Wed 24/11/21
Joint Committee (Shared Services) Briefing	Thu 25/11/21
Joint Directorate IAA Working Group Meeting	Thu 25/11/21
Joint Committee Shared (Services) Meeting	Wed 15/12/21
Schedule extraordinary meeting for consultation paper to DCF meetings for N and W	TBC

With the aim to go live on 1st April 2022 if not before, subject to governance approval by the boards and Trade Unions listed above.

8.2 Specific Planned Actions:

Will be mapped out by 26 November.

9 Monitoring and Evaluation

The project will be subject to the quality assurance and governance arrangements as set out under Corporate standards for both North and West Northamptonshire Councils, as well as the shared transformation Disaggregation Programme monitoring and evaluation processes.

10 Appendices

LIVE Fact Check
LIVE Business Case



**North
Northamptonshire
Council**



**West
Northamptonshire
Council**

Item 5
Appendix A