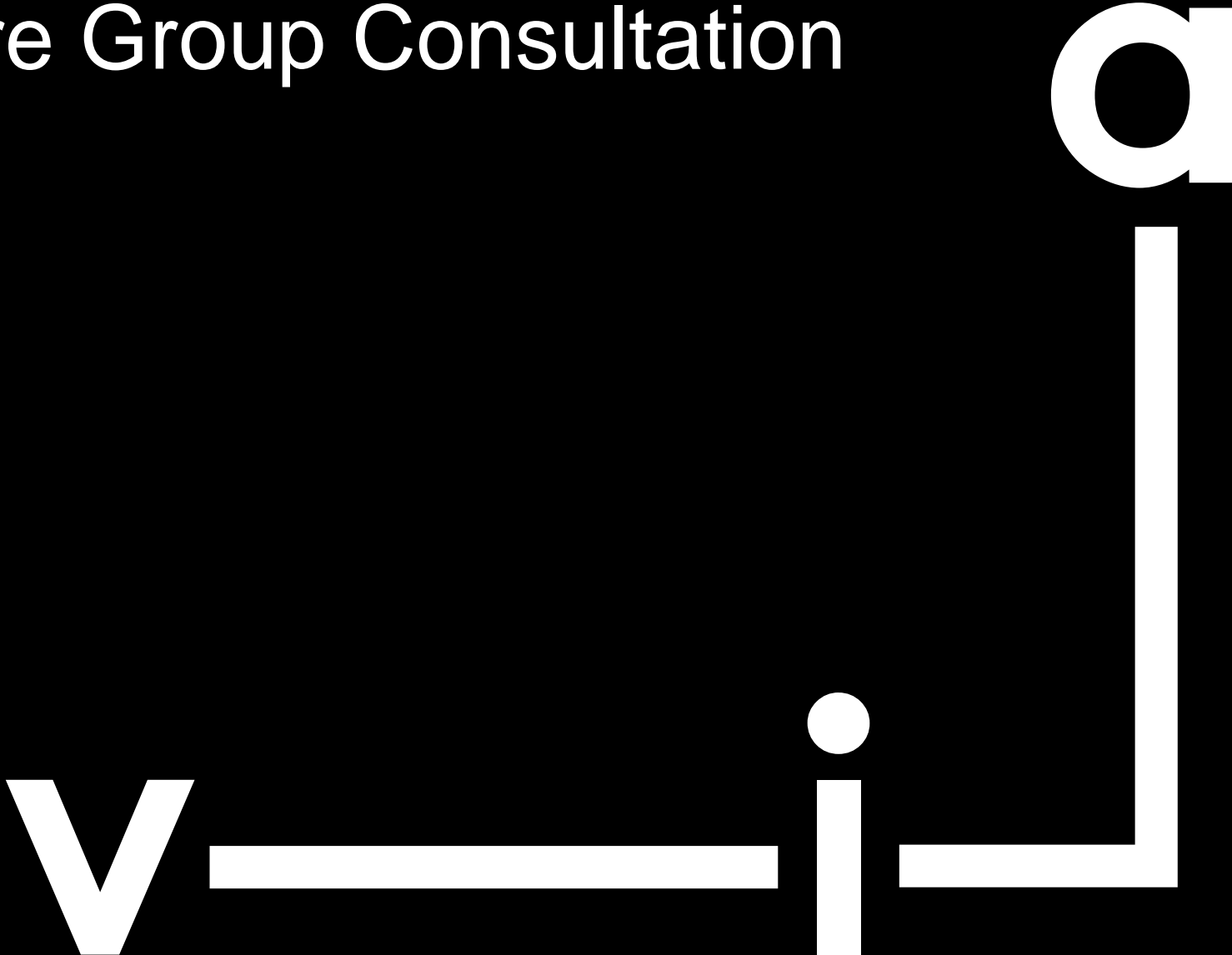


# Gloucestershire Group Consultation

10<sup>th</sup> January 2024

*Tom Sackville*  
*Executive Director of Services*



## The plan for today

- Welcome and introductions
- What to expect from today
- What is TUPE?
- Our proposal for Gloucestershire Services
- Our Partners
- Our Measures including our Staff Structure
- Timeline and next steps
- Breakout session

## What is TUPE?

The Transfer of Undertakings (Protection of Employment Regulations 2006 (TUPE))

When a business or 'undertaking' transfers from one employer to another and retains its identity (known as a 'standard' 'traditional' transfer) **or when there's a change of service provision where services carried out by one service provider cease, and services which are fundamentally the same, are carried out instead by another**

The legislation designed to protect employees; employment will automatically transfer from to Via on 01 April 2024

Obligations on both transferor and transferee organisations to inform and consult over likely implications of the transfer

Duty is to inform and consult with recognised Trade Union and/or Elected Representatives

Today is the start of Via's (transferee) consultation with you

## What inform and consult means for you

ACAS advice is to keep all affected employees updated about the transfer, even if there are representatives

**'Inform'** is about telling you the facts about the transfer; this information must be provided to you before the transfer takes place on 01 April 2024

**'Consult'** is when you are asked for your feedback on the changes to working practices ('measures') that the transfer will bring, so that transferor and transferee (Via) organisations may consider your feedback ('representations') before making decisions

Making

Service Delivery Model

La

change



## Key features of our proposal

- Building on current best practice
- Reaching more people across the county
- Stakeholder work and maintaining key contacts, especially housing
- Women-only provision in safe spaces
- Aftercare and social enterprise
- Extended Young Adult offer
- Via Core model and programmes such as Next Steps and NOVA – tools to adapt to local context
- Volunteers and Peer Mentors

## Partnerships

Sub-contracted elements of the service:

- Nelson Trust
- Young Gloucestershire
- P3
- Intuitive Thinking Skills

## Delivery Sites



### Fixed Hubs

**Gloucester Hub,**  
41-43 Imperial Chambers  
Longsmith Street GL1 2HT

**Cheltenham Hub,**  
Bramery House Alstone Lane GL51 8HE

**Stroud Hub,**  
Bankfield House Wallbridge GL5 3JQ



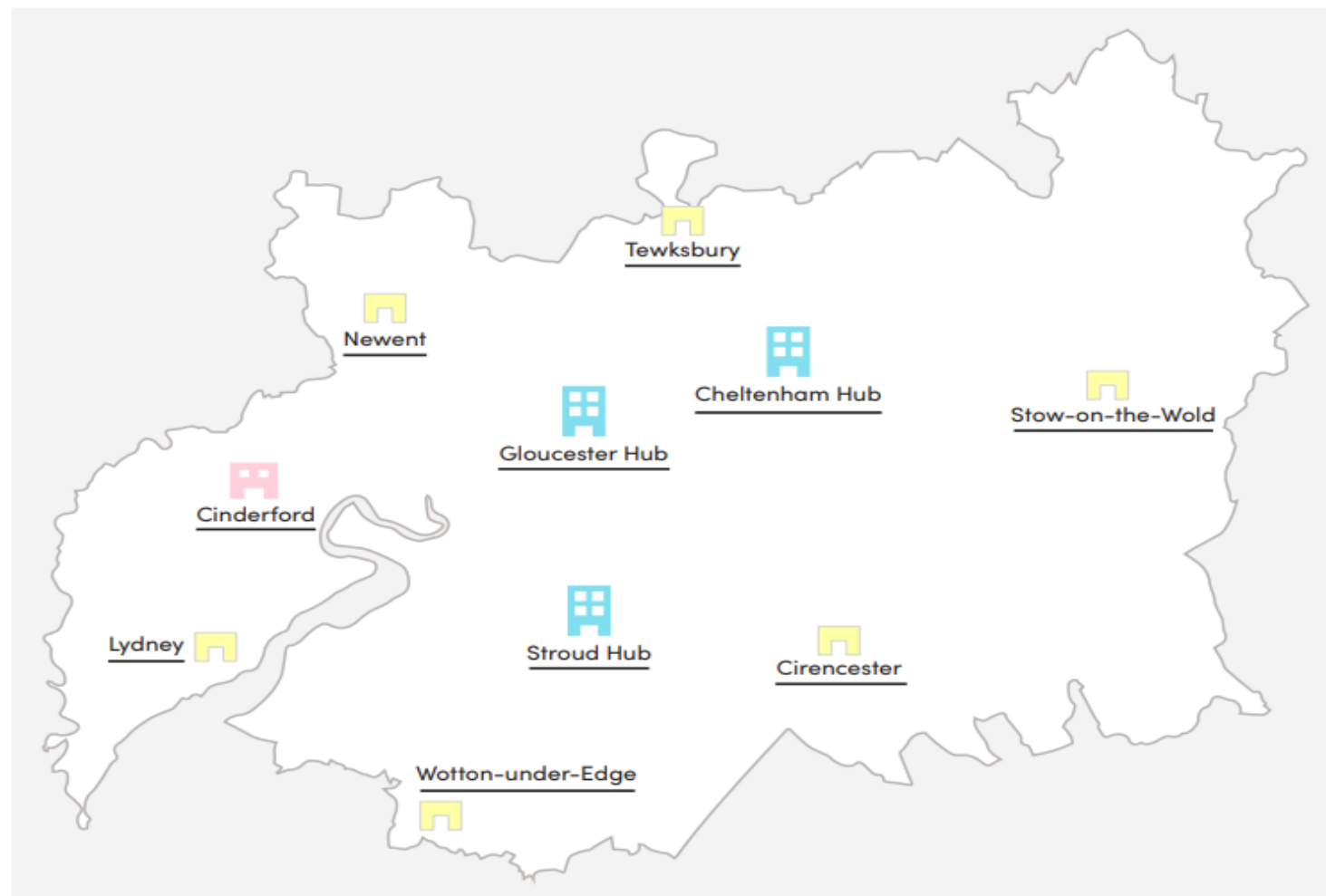
### Part-Time Hub

**Cinderford**  
Cinderford Town Council,  
6 Belle Vue Road, Cinderford, GL14 2AB

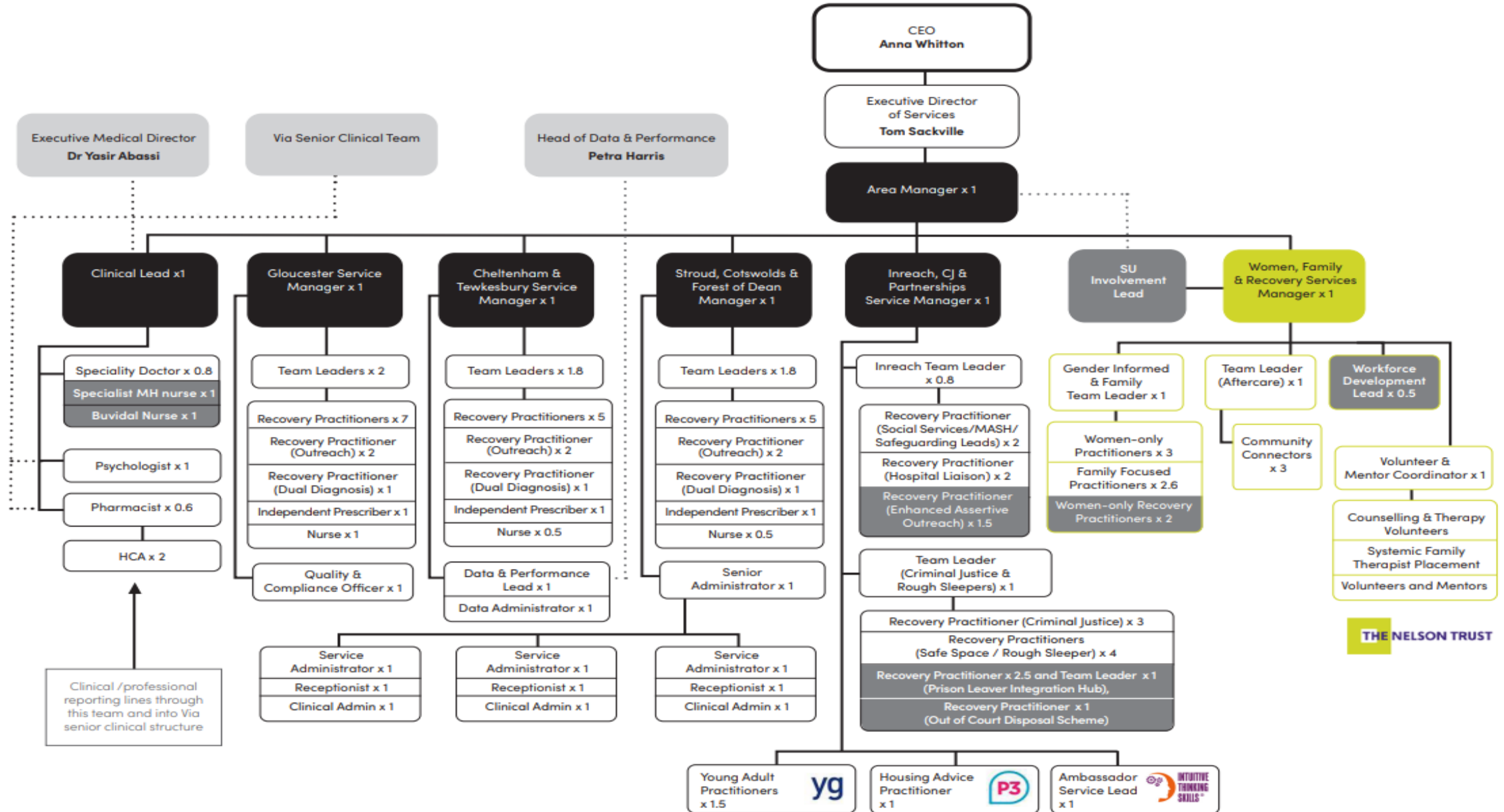


### Via Satellites

Newent (weekly / fortnightly)  
Lydney (weekly / fortnightly)  
Wotton-under-Edge (weekly / fortnightly)  
Cirencester (weekly)  
Stow-on-the-Wold (weekly)  
Tewksbury (weekly)









Starting your journey

Measures

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## Informing & Consulting on our Measures

- Elected Representatives & affected employees will be consulted on any 'measures' envisaged
- Intended 'measures' were informed in writing in December; letter available on the microsite
- We'll take you through those measures today
- They'll be opportunity to further discuss the measures at your 121s
- Feedback and/or written representations are invited
- Before we make any final decisions, we'll have informed you of the changes, listened to and fully considered your suggestions and tried to reach agreement



## Intended measures

### Transfer Date

With effect from 01 April 2024, transferring employees will become employees of Via and employment with CGL/partner agency will cease on 31 Mar 2024. Employees will transfer to the payroll of Via.

### Change of Base

Via plan to continue to deliver services and satellite provision from the same locations currently in use where possible, (Gloucester, Cheltenham, Stroud and Cinderford Hubs). Any potential change of base will be discussed at 121s

### Operating Hours

Normal operating hours will be based on the needs of the service and service users; broadly 9am - 5pm Mon to Fri, plus some late evenings and weekend cover, where assessed local need has shown that it is required. Any new hours outside of Monday to Friday 9am - 5pm would be delivered by way of a staff rota and phased introduction

## Intended measures

### Annual Leave Year

Via operate an Apr to Mar annual leave year. Should any changes be needed, we will look to pro rata your annual leave to 31 March 2024 and to start a new leave year on 01 April 2024 with a full entitlement and will deduct any leave already taken

### NVQ Level 3 Tackling Substance Misuse

If you deliver front line work but do not have an NVQ Level 3, or equivalent, you will be supported to complete this qualification or equivalent, in line with CQC requirements

### Policies

You will no longer follow the current employment related policies or procedures that may be provided as part of due diligence. You will transfer to the equivalent Via policies and procedures except for any entitlements to pay or pay related elements which remain part of your contractual terms

## Intended measures

### Pay Date

Pay day will be on the 25th of the month or nearest Friday if the 25th falls on a weekend/public holiday; our December pay date is usually brought forward to allow for Christmas. You'll receive your first pay from Via on 25 April 2024

### Pay

If you have a contractual pay scale and are entitled to contractual and automatic incremental increases each year, you will move across on your current pay scales and continue to rise incrementally to the top of your scale, as you do now. If you're on a spot salary with no incremental rises, you'll transfer on that salary and will remain on this pay point. Post transfer, pay reviews will be in line with Via's pay processes and you will be eligible for Via's non-contractual pay review. Any cost-of-living payments collectively agreed prior to the transfer date will be paid

### Death in Service

You'll become a member of the Group Life Assurance Scheme which entitles your next of kin or a nominated person to a tax-free lump sum, should you die in service. This will be 2 x your annual salary

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## Intended measures

### Pension

Your pension built up to the date of the transfer is protected. If you have a workplace pension, your pension will not transfer to Via as it is exempt from TUPE\*.

We provide a comparable pension scheme and if you are already in a pension scheme you will transfer to Via's. We will match current contributions (to max 6%); you will continue to pay your current employee contribution (you may pay more if you wish). Total contribution rate (employer and employee combined) must be a minimum of 8%.

If you are not in a pension scheme at point of transfer you will be auto-enrolled into Via's scheme after 3 months of employment (employee contribution rate 5%; employer contribution rate 3%)

### NHSPS\*

We'll make an application to the relevant scheme for Direction Status. This process can take several months to complete. We will deduct your pension contribution from your salary each month and will retain both your contributions and Via contributions; these payments will be paid over to the NHSPS once the Direction status is received. There will be no break in the pension scheme and pensionable service is backdated to the transfer date.

## Intended measures

### Job Titles

Your title may change in line with the job descriptions provided. This is to bring job titles in line with our organisational structures to ensure job titles are congruent with job descriptions and those across the rest of Via

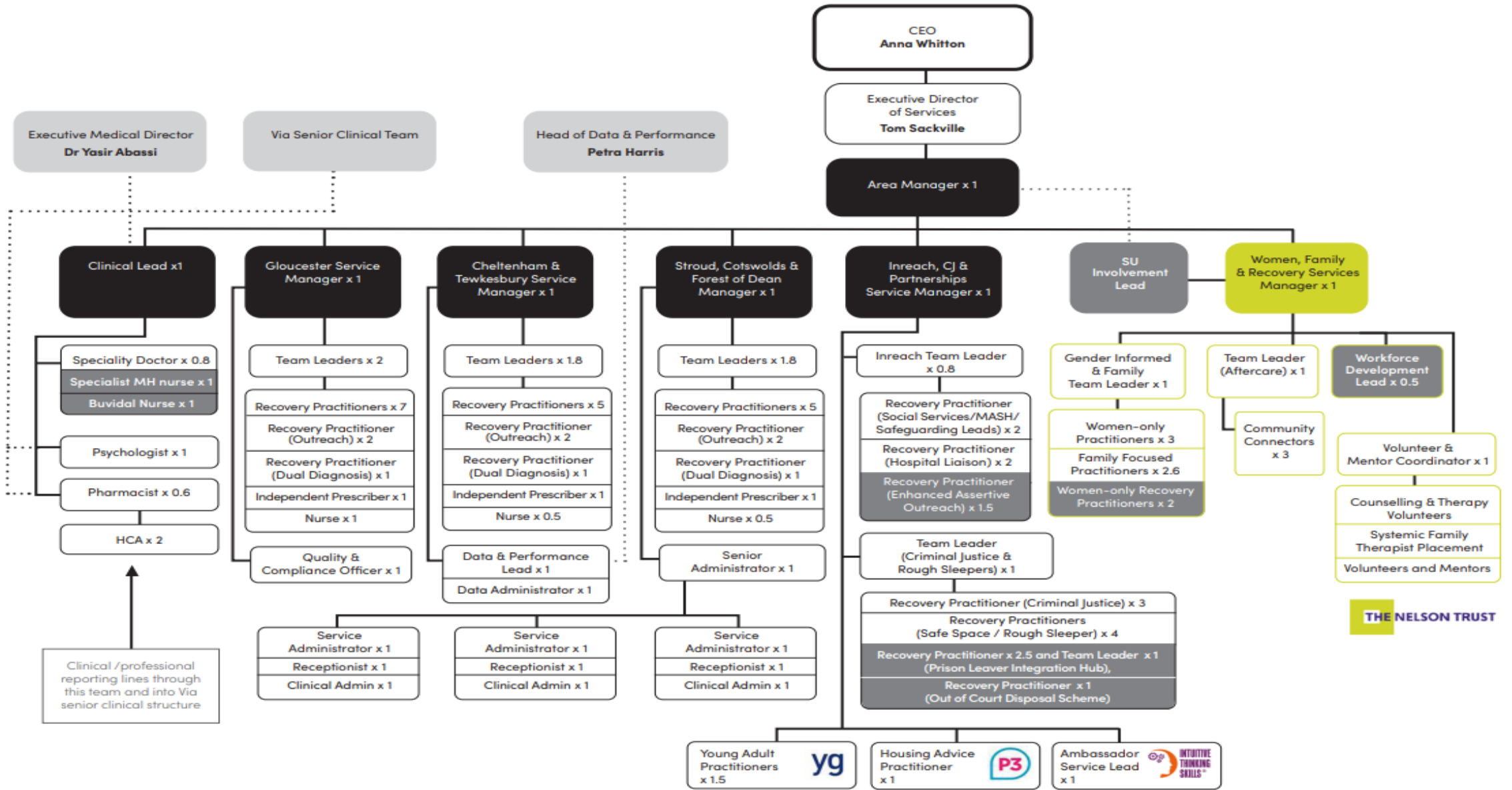
### Job Descriptions

You will move to Via's job descriptions in line with the staffing structure in order that job descriptions reflect the duties of the role and the reporting structure of Via; Job Descriptions shared on our microsite

### Service Structure

In line with the commissioner's requirements for the new service, we have a staffing structure in line with the commissioned delivery of Gloucestershire Community Adult Drug & Alcohol Services





## Intended measures

### Potential Redundancies

Whilst we do not envisage a redundancy situation arising, we cannot confirm until we are in receipt of all Employee Liability Information requested

Should a redundancy situation arise, Via will meet with all statutory redundancy obligations and any potential consultations would not commence until post transfer

We recognised this will feel unsettling and can further discuss any concerns you may have at your 121s; you may also wish to discuss any concerns with your current employer

## Intended measures

### Trade Union Recognition

Under voluntary recognition arrangements, there is no automatic right for the current terms, agreed between the Trade Union and current provider, to transfer.

We are happy to discuss the possibility of forming new local partnerships with recognised trade unions, in respect of the transferring staff, if it is recognised with your current employer, and:

In the spirit of Recognition, and once we understand any existing Agreement(s), we aim to meet with the Employee Representatives.



Next steps

ahead

step

One



## Timeline and Next Steps

|             |                            |
|-------------|----------------------------|
| 08 Nov 2023 | Engagement Event           |
| 28 Dec 2023 | Microsite launched         |
| 10 Jan 2024 | Consultation starts        |
| 15 Jan 2024 | 121 Consultations commence |
| 06 Mar 2024 | Consultation ends          |

You will be provided with written confirmation of your change of employer asap and in advance of the transfer date; your length of service ('period of continuous employment') is protected and will transfer

## Timeline and Next Steps

|                 |   |
|-----------------|---|
| Thu 28 Mar 2024 | Likely last working day with your current employer        |
| Sun 31 Mar 2024 | Last day of employment with your current employer         |
| Mon 01 Apr 2024 | Easter Monday (BH); your employment TUPE transfers to Via |
| Tue 02 Apr 2024 | First working day (Welcome details to follow)             |

**Q&A**

**Any Questions?**

**v-i-a**