

## Dimensions Somerset SEV Limited

1430 Arlington Park  
Theale  
RG7 4SA

26 January 2017

### **Private and Confidential**

Ms. Sari Brice – HR Lead  
Somerset County Council  
County Hall  
Taunton  
Somerset  
TA1 4DY

**SENT BY EMAIL ONLY**

Dear Ms. Brice

**RE: Transfer of Learning Disability Provider Services (Somerset County Council) to  
Dimensions Somerset SEV Limited**

I am writing to you in relation to the above transfer scheduled to take place on 1 April 2017.

We believe that the Transfer of Undertakings (Protection of Employment) Regulations 2006 ('TUPE') will apply to the proposed transfer. In accordance with Regulation 13 of the TUPE Regulations, we are obliged to provide you with information on any measures we envisage taking in relation to transferring employees. This is so that you can comply with your information and consultation obligations under the same Regulations.

Within the newly formed Social Enterprise (which is part of the Dimensions Group), we are committed to improving operational performance in terms of quality, safety and compliance. Our priority is to develop an organisation which is financially sustainable and can be successful in developing positive opportunities for people with learning disabilities and/or autism in the future. We aim to deliver a personalised service for customers, with decision making made as close to them as possible and we will keep customers at the centre of our work and our commitment to them remains constant.

The measures we envisage following transfer are:

### **I. Changes to terms and conditions of employment**

We believe that in order to ensure the financial sustainability of the Social Enterprise, there is a need to make changes to the terms and conditions across the whole workforce. The proposed changes will affect both salary and non-salary terms, except pensions. We intend to consult fully with the Unions as part of collective consultation as well as undertaking individual consultation. Consultation with the Unions will

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commence shortly and individual consultation will take place from April 2017. We anticipate that the new terms will be introduced towards the end of 2017.

### **2. Restructuring**

We propose to restructure the operational management and business support function.

We anticipate that this will involve a significant change for Team Managers. We envisage changing the role of Team Manager to that of Locality Manager, some of the responsibilities of this position will change. It is proposed that this change will be connected with a reduction in the number of managers being required.

In light of our proposals to make changes to terms and conditions, we do not envisage any changes to the number of Assistant Managers that will be required but the role will change in relation to the job title, the amount of off-rota time afforded to them and possibly the services within which they work.

Likewise we envisage making changes to Support Leaders in respect of the number required, the job title, the removal of off-rota time and possibly the services within which they work. At this stage, we do not envisage that redundancies at this level will be necessary.

Whilst the management level will look different, the number of front line support workers will remain unchanged.

We envisage that there will need to be changes to the business support structure in that we believe that fewer roles will be required in the Social Enterprise.

We envisage that the new structure will be in place by 2018.

These measures (one and two) are linked in that they are jointly intended to address the need to bring the services into line with the available funding. As a result the final measures under one and two (above) will be dependent in part on the outcome of the consultations.

### **3. Service modernisation (day services)**

The business case for the outsourcing of the Learning Disability Provider Services (LDPS) to a new Social Enterprise centred around people with a learning disability and their families to have more control over their services, to be able to make more day-to-day choices and live in high quality, fit for purpose buildings whilst having the same opportunities as everybody else. All of which would be considered value for money.

We believe that in order to achieve this vision, it is necessary to undertake a wholesale review relating to the provision of day services. The anticipated outcome is likely to bring a substantial change to the way in which support is delivered for those customers attending day services, including closures in some situations. We will use co-production methods to design an alternative offer for customer who have previously attended day services, working with customers, their families, friends and staff to develop alternative approaches.

We envisage that as part of these changes, there will be some redundancies but it is anticipated that the majority of the affected workforce will be redeployed to other services within the Social Enterprise.

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We envisage that through co-production, we will be in a position to reach agreement and to sign-off a local change programme by March 2018 with implementation shortly thereafter.

We do reserve the right to add to the measures set out above and in earlier correspondence if this proves necessary, particularly as we receive and are able to review the full Employee Liability Information. However, I trust that the information above is sufficient to enable you to progress the TUPE information and consultation process. Linked to this I understand that the trade union representatives have sought clarification of the reasons for the measures. I confirm that it is our view that, insofar as a reason is required under TUPE, taken in conjunction with the changes outlined above there are economic and organisational reasons entailing changes to the workforce which necessitate the measures we have outlined.

Please do contact me if you require any clarification in relation to the contents of this letter.

Yours sincerely



Mr. Chris Best MCIPD

**HR Director – Somerset SEV Ltd**

Mobile: 07721 017 130

Email: [chris.best@dimensions-uk.org](mailto:chris.best@dimensions-uk.org)

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