

The questions and requests listed below might be useful where you have individual or collective consultation meetings with managers about changes to your role.

Generally speaking, changes to the tasks that a job holder carries out are not contractual changes, although there are exceptions. For example, if the changes significantly alter the nature of the job, this could be deemed to be a transfer to a new role, and there may be contractual implications.

Changes to the working conditions such as shift pattern, location, working hours, and pay are more likely to have contractual implications.

The law covering contracts and other aspects, such as the right not to be discriminated against on grounds of race, disability, gender, and so-on, gives you a certain amount of protection. However, even where the employer's actions are completely legal, it doesn't mean that they are acceptable. If they are unacceptable, they can (and should) be challenged. And collective challenge is almost always quicker and easier than either individual or legal challenge.

**Questions and Requests:**

- Ask if / when:
  - You will get written details of the proposed changes (if you haven't already had them)
  - Anyone will be taking notes of the consultation meeting
  - the notes of the consultation meeting will be shared with you for agreement
- If they say that you are now in a formal consultation ... when did the consultation start and when will it end?
  - *Make it clear that you do not agree that the statutory consultation period has started until you have been given details of all the changes that are being proposed. If you have questions that they are unable to answer immediately, then request that the start of formal consultation is put back until you have the answer. You need to be properly informed to make any decisions.*
- Can you set out for me the full changes that are anticipated to my role?
- What else will change? You may want to ask specifically about pay, working hours, shift pattern, location, reporting lines, performance management scheme, holiday allocation, and workload.
- What are the justifications for the changes?
  - *If they say that there is a need to cut costs ... In April 2017, L&Q announced record surpluses of £332m before tax. This represented a £53m increase on the previous year. David Montague (CEO) earned £340k in 2016, a pay rise of 6.6%. In 2016, East Thames reported a record surplus of £28m and Yvonne Arrowsmith (CEO) earned £170k - a pay rise of 10.10%.*

*The newly merged group is suggesting that any savings will be invested in 'Community Development' and will therefore do good for society, but this should not be achieved by*

*impoverishing or squeezing staff, or by diminishing the quality of services that are provided to residents or clients.*

- *If the claim is that this will make the organisation more efficient, ask for evidence of exactly how this will be the case – what research has been done to reach this view? You can ask to see the evidence.*

*Also consider any impact on service delivery. Again, 'efficiency' should not be achieved by impoverishing or squeezing staff, or by diminishing the quality of services that are provided to residents or clients.*

- *Whatever their rationale, if you don't think that it is logical or acceptable, it is important to say so and ask that your disagreement is put on record.*

- How many others are affected by the changes?
- Are we all subject to the same changes, or are they being applied differently to different staff?
- If there is variation in treatment of individuals, what is the justification for treating some differently?
- What will happen to staff who do not agree to all or part of the proposed changes?

**Your Response:**

- If there are any proposed changes that you already consider to be acceptable, it is advisable to make it clear straight away – be explicit that you do not agree to them.
- If you are unhappy with any proposed changes, it is also good to suggest an alternative. The alternative might be keeping things as they are, or could be a different option that might work better for both parties.
- Check what will happen next. If you have outstanding questions, ask when you will get the answers. Also ask about any follow up meetings.
- If you think that the consultation period is too short for any reason, ask for it to be extended – it is entirely within the gift of the employer to take as long as it wants in consultation and it is better to get things right than to rush them.

**After the Consultation Meeting**

Even if they have promised to provide notes, it is a very good idea to write down what you were told, what questions you asked, what answers you were given, and any requests that you made.