

LONDON BOROUGH OF BROMLEY

CONSULTATION DOCUMENT ON THE COMMISSIONING OF THE LIBRARY SERVICE

1. Background

- 1.1. This document sets out the proposals for the future provision and delivery of the Library Service. In November 2015 the Council's Executive agreed to begin a process of market testing the library service. This decision was made in the context that over the coming years the Council will need to continue to deliver multimillion pound savings from its budgets annually, and was informed by a full options appraisal, public consultation, engagement with staff, and market intelligence gained from a soft market testing exercise. The tender invited potential interested service providers to submit an application to deliver library services on behalf of, and under the supervision of, the Council, creating a commissioned library service.
- 1.2. The purpose of this communication is to formally consult with the staff directly affected by the proposals, and also to communicate with staff who will be indirectly affected by the proposed changes.
- 1.3. This document follows on from the last communication with staff and their representatives dated 23rd February 2017 (an update letter from Colin Brand, Director of Regeneration). In addition, and since December 2014, we have been exploring various options and engaging with staff and their representatives, to outline the Council's proposals and to listen to their views. This document commences the formal consultation stage with regard to the proposal to award the contract for the delivery of Bromley's Library Service to Greenwich Leisure Ltd (GLL).
- 1.4. In line with the Council's procedures for managing organisational change a copy of this proposal is also being sent to Trade Unions and Departmental Representatives as part of the formal consultation process which will last for a period of 45 days. The timetable for the implementation of the proposed changes is also included in the details set out below.
- 1.5. The proposal is in line with the Council's broader Commissioning Agenda, whereby the Council will seek to determine who is best placed to deliver high quality services based on local priorities, quality and value for money principles. This may well mean that services are delivered by an external organisation, as is the case with the proposal set out in this document.
- 1.6. Given that the Council has to identify significant financial savings in the next 4 years, the proposal as set out within this document will contribute to achieving the planned budget savings for the Council.

2. The Proposal

- 2.1. The proposal is for GLL to take on the management and delivery of the public library service on behalf of LB Bromley. The Council would retain the statutory responsibility for providing a comprehensive and efficient library service. The proposed details and extent of the service to be provided are contained within the specification and contract (available at the Libraries Tender page on One Bromley). As set out in the gateway report that recommended market testing, the specification and contract demand that current service levels are sustained and where possible improved.
 - 2.2. It is proposed that the Council will create an 'in house client team' to oversee the management of this contract on behalf of the Council. At present it is anticipated that this will comprise a team of 2 officer posts as set out in the appendix to the Committee report. Further consideration is currently being given to the structure and size of this client team and your thoughts and comments are also sought on this element of the proposal. The proposed new posts would be subject to job evaluation.
 - 2.3. The client team would monitor adherence to the specification, attainment of Key Performance Indicators and implement any penalties that may be incurred where required standards are not met.
 - 2.4. GLL currently operates library services in Greenwich, Wandsworth and Lincolnshire as well as prison libraries on behalf of the Ministry of Justice – equating to 88 local libraries (38 directly operated public libraries). It is a large, long established organisation with over 24 years' experience of working with local authorities and local communities. GLL is a charitable social enterprise which is non-profit distributing. Its legal structure requires it to operate "for the benefit of the community". GLL staff members own the organisation they work for through a non-dividend paying share which increases empowerment, motivation and involvement of staff. It has a track record of improving the use of the library services it manages.
- 2.2 The following functions would be delivered by GLL:
- The frontline/operational service.
 - Back Office and Support functions including Strategic Management, Stock and Reader Development, Children and Families, Information and Learning, IT Support and Development, Improvement, Training and Marketing, Business Support.
 - Bromley Historic Collections
 - Facilities management including cleaning and security.

- 2.3 These would be provided in line with the key principles outlined in the specification, namely:
- Services must be provided within an ethos of continuous improvement. There must be a commitment to delivering improving service and performance for the Council and their residents annually against continuous improvement plans developed by the Service Provider with no cost implications for the Council.
 - The Service Provider will identify opportunities for new and higher quality delivery of the existing services achieved through innovation from the Service Provider working in partnership with the Council (and where considered appropriate other public bodies or third parties).
 - The Service Provider will take a proactive approach to all aspects of service delivery with an ethos of engaging with customers and stakeholders and with sound leadership and management qualities that enables a powerful relationship with the Council's officers and Members.
- 2.4 GLL has advised that it would maintain the current opening hours at all libraries with a view to increasing the opening hours where possible.
- 2.5 The GLL pricing proposal would, subject to due diligence, deliver savings to the Local Authority. The proposed saving is to be achieved by
- Implementing efficiencies in operational and specialist and support functions.
 - Improved purchasing power within the industry.
 - Savings from rate relief offered by GLL's charitable status.
- 2.6 In addition, GLL are committed to:
- Delivering on The Council's key strategic aims and objectives.
 - Bringing investment into library services.
 - Continuous improvement to library buildings.
 - Ensuring bookstock is appropriate to the needs of local communities.
 - Developing new ICT capabilities (including a refresh of ICT equipment in years 1 and 5 of the contract).
 - Excellent staff training.
 - Expanding the activities programme in libraries
- 2.7 In the event that Members agree to the transfer of the Library Service to GLL then the Transfer of Undertakings (Protection of Employment) Regulations 2006, as amended by the Collective Redundancies and Transfer of Undertaking (Protection of Employment) (Amendment) Regulations 2014 would apply.

3. Scope

- 3.1 There are 148 staff (91.93 FTEs) currently working within the functions outlined in paragraph 2.2 above and who will be affected by this proposal. The posts that are engaged on the functions within the proposal and therefore in scope for the proposals are set out in the table in Appendix 1 to this paper. In addition there are approximately 31 casuals employed within the service.
- 3.2 Given the nature of the service a bank of sessional workers are engaged from time to time to respond to the pressure on timetable cover including planned and unplanned staff absences. Hence in general terms casual workers are not covered by the proposals, subject to individual assessment of each casual work arrangement.
- 3.3 There are two posts that are not in scope. They are the Library Operations and Commissioning Manager and the Library Projects Officer. It is envisaged that these post holders will form the Client Team.

4. Next Steps

- 4.1 A report setting out the recommendations on the future of the Library Service will be submitted to a meeting of the Council's Executive Committee following pre-decision scrutiny at the Renewal & Recreation Policy Development & Scrutiny Committee.
- 4.2 The exact dates of these meetings will be confirmed at a later date, but sufficient time will be allowed to ensure that the Council fulfils its obligation to fully consult with staff and their representatives and to enable their views to be accurately reported to Members. The indicative date for the Executive Committee set out in paragraph 5 is currently 19th July, however this date may be subject to amendment.
- 4.3 In line with the principles of openness for Local Government that this Council has adopted, the substantive information on this proposal will be covered within a Part 1 report, with only confidential and commercially sensitive information contained within a Part 2 report. A copy of the Committee report will be supplied once it is available for publication.
- 4.4 If a decision is made by the Executive Committee to award the contract, GLL will commence a detailed period of due diligence, this process is likely to take up to three months. There would also be a separate consultation about TUPE with the staff concerned and trade unions and departmental representatives, which would take place as identified in the timetable below from July/August 2017 onwards. . Any significant changes or issues that arise out of this process will be reported back to the Executive prior to any final contract agreement. This separate consultation process would specifically cover TUPE implications for each member of staff. The current round of consultation is therefore primarily concerned with the proposal to award a contract to an external

organisation to provide Bromley's Library Service.

- 4.5 The TUPE regulations preserve/protect employees' terms and conditions when a business or undertaking is transferred to a new employer. Contracts of employment remain the same when transferred to a new employer whilst employees remain in the same job. Continuous service and terms and conditions are protected as at the point of transfer, subject to any changes arising from economical, technical or organisational reasons.
- 4.6 The Council fully understands that staff who have not previously been involved in a TUPE transfer may find the process and the regulations which protect staff over whelming. Both Management and HR Consultancy will endeavor to support staff through this process. Staff may find it useful to look at the link about TUPE on the ACAS website [here](#).

5. Timescale

28 th April 2017	Release formal consultation document to staff, trade unions and departmental representatives.
May/ June 2017	Meet with staff directly affected by the proposals.
May/ June 2017	Meet with T.U., and Dep. Reps if requested.
12 th June 2017	End of formal consultation period.
19 July 2017	Report to the Executive. All comments during the consultation will be reported to the committee, along with the management response.
July/August 2017	If agreed, write to all staff affected and commence the process of informing and consulting with staff and their representatives on the TUPE transfer implications where appropriate. (45 days minimum).
1 st October 2017	Target contract award date

6. Equality Impact Assessment (EIA)

- 6.1 The Equality Impact Assessment of the proposals is being considered as part of the consultation and staff and their representatives' views will be taken into account and responded to throughout the consultation period. As the new provider is not proposing to make any changes to the current arrangements it is not anticipated that there will be any implications that will have a disproportionate impact based on any equality grounds.

7. Agency Workers and Casual Workers

- 7.1 All agency workers and casual workers within the services affected by

these proposals will be consulted throughout this process.

- 7.2. There is an agency worker engaged in the service delivery. As this worker is not an employee of the Council they will not be part of the proposed transfer of the service.
- 7.3 Given the nature of the service, casual bank workers are engaged from time to time to respond to pressures including planned and unplanned staff absences. Hence, in general terms, casual workers are not covered by these proposals, subject to individual assessment of each casual work arrangement.

8. What Happens Now?

- 8.1 Staff meetings will be arranged for staff directly affected by these proposals. However additional meetings can also be arranged at the request of staff either with their line manager and/or Human Resources (see HR contact details below). Meetings with trade unions and departmental representatives will also be offered.
- 8.2 Joint meetings involving staff, trade unions and departmental representatives can also be arranged should they be requested.
- 8.3 I hope staff will take the opportunity to feed into this process. I am very keen to hear from you about what you think with regard to the proposal and in particular what ideas you have for improvement and change that may help contribute towards the achievement of the savings target.
- 8.4 As always, I would like to thank staff for their continued commitment to our service users and professionalism throughout this process.
- 8.5 Written responses to this consultation document, which should be submitted no later than Monday 12th June 2017, should be addressed to any of the following:

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Employees can also seek further information from either Keely Smith, HR Consultant, on 020 8313 4071, email Keely.Smith@bromley.gov.uk or Tammy Eglinton, Head of HR Consultancy, on 020 8313 4209, email Tammy.Eglinton@bromley.gov.uk.

Appendices

Appendix 1 List of Staff

Staff Consultation Document Appendix 1

Posts in scope

Post Numbers	Job Title	Grade	Hours per week	Number of posts	FTE
2246	Assistant Operations Manager	BR13	36	1	1
2316	Assistant Operations Manager	BR13	18	1	0.5
13619	Operations Officer	BR8	36	1	1
15044	Library Supervisor (Operations)	BR7	18	1	0.5
15006, 15007	Senior Customer Services Assistant (Operations)	BR6	18	2	1
13564	Children & Families Manager	BR13	18	1	0.5
13563	Information & Learning Manager	BR13	36	1	1
13549, 13567, 13568	Librarian	BR9	36	3	3
13565, 13566	Librarian	BR9	18	2	1
13580	Facilities Manager	BR9	36	1	1
13553, 13570	Community Learning & Outreach Assistant	BR7	36	2	2
13569	Community Learning & Outreach Assistant	BR7	18	1	0.5
14986	IT Assistant	BR7	36	1	1
13573	Stock Services Manager	BR10	36	1	1
13574	Stock Services Assistant	BR5	36	1	1
13576	Stock Services Assistant	BR5	26.5	1	0.74
2249	Archivist	BR9	36	1	1
10200	Archives Assistant	BR6	36	1	1
13578	Business Support Assistant	BR5	36	1	1
2256, 2308, 10472	Library Manager	BR10	36	3	3
2262, 2317, 2324, 2379, 2389, 10477	Library Supervisor	BR7	36	6	6
2258, 2315, 2319, 2320, 2322, 2323, 2380, 10474, 10476, 14988, 15002, 15003,	Library Supervisor	BR7	18	12	6
2261, 2266, 2291, 2300, 2335, 2386, 2414, 10465, 11966, 12149	Senior Customer Services Assistant	BR6	36	10	10
2263, 2340, 2399, 10464, 15009,	Senior Customer Services Assistant	BR6	27	5	3.75
2265, 2270, 2273, 2274, 2325, 2330, 2333, 2334, 2336, 2342, 2344, 2345, 2385, 2388, 2390, 2393, 2395, 2396, 2409, 2411, 10214, 10262, 11597, 14987, 15004, 15005	Senior Customer Services Assistant	BR6	18	26	13
2343	Senior Customer Services Assistant	BR6	9	1	0.25
2286, 2296, 2326, 2347, 2362, 2363, 2401, 2402, 2403, 10212, 10261, 15090	Customer Services Assistant	BR4/5	36	12	12

Post Numbers	Job Title	Grade	Hours per week	Number of posts	FTE
2351, 2352, 2267, 2271, 2292, 2299, 2305, 2367,	Customer Services Assistant	BR4/5	27	8	6
2279, 2281, 2282, 2284, 2285, 2287, 2288, 2294, 2301, 2337, 2346, 2355, 2356, 2360, 2368, 2391, 2406, 2408, 2410, 2413, 2415, 2418, 10280, 13622, 14985, 18564	Customer Services Assistant	BR4/5	18	26	13
4574, 12353, 12362,12363, 12364, 14817, 14818, 14820, 14821,14823, 14824, 14827, 15089	Support Customer Services Assistant	BR3	7	13	2.47
14825	Support Customer Services Assistant	BR3	6	1	0.17
12358, 15088	Support Customer Services Assistant	BR3	5	2	0.28
12355, 12357, 12359, 12361, 12366,14826, 14828,14830, 14831, 15091, 15092, 15093	Support Customer Services Assistant	BR3	4	13	1.43
2209	Senior Site Officer	BR6	36	1	1
2214, 2222	Site Officer	BR5	36	2	2
Total				165	100.09