



# Reorganisations Under the Policing and Crime Act 2017

Police, fire and ambulance services have increasingly been exploring new ways of working together. In many areas, for example, it is a fire officer who might be the first responder to a health emergency; the police and ambulance services are increasingly managing civilians with mental health problems; and there are a number of examples emerging where ambulance trusts are working with both police and fire authorities to share vehicles, premises and back office functions.

The Policing and Crime Act 2017 amongst other things, enables Police and Crime Commissioners (PCCs) to be more closely involved in - and in some cases to take over responsibility for running – local fire services. The express intention is to compel emergency services to work more closely together wherever it would be beneficial to do so.

Capsticks has a long track record of working with public bodies to facilitate collaborative working and have advised on one of the first transfers of a fire service to a PCC. We have established ourselves as market leaders in the emergency services market for delivering legal services, strategic HR support and outsourced ER services to a range of clients. Uniquely, because we offer both legal and HR support, we provide joined-up solutions that incorporate human resources best practice and employment law compliance.

## Legal and HR Advisory Services

Our team are experts in the field of managing change, whether it is a transfer under TUPE, merger or acquisition or collaboration under COSOP, our team have successfully delivered changes to the client's specifications. Capsticks offer two primary support options:

1. Traditional lawyer-led advice on the full range of legal issues involved in a reorganisation and/or transfer staff; or
2. A combined legal and HR Advisory service led by a highly experienced HR practitioner. The HR practitioner project manages and delivers the change project without the need for internal HR support. This can be particularly beneficial where corporate services are being restructured (creating potential conflicts of interest, where there are internal capacity issues to deliver the project or where the transfer is particularly contentious.

Under option 2, our team works with you pre and post change, ensuring a seamless delivery and on deadline. Our service includes (pre-collaboration):

- Ensuring we know your needs from the outset to ensure the change is successful and in line with expectations
- Developing relationships quickly with the key stakeholders involved including union and/or staff representatives
- Set timetable and agree key actions and deadlines
- Determine if/what the requirement is to be onsite to ensure the best support and value for money

- Collate due diligence information as appropriate; in-depth information is not always required under certain transfers and advice will be provided accordingly
- Determine any measures (where appropriate) that would be effective upon transfer
- Support with arranging and/or leading any group and/ or individual staff consultation meetings and meetings with Unions and/or staff representatives sessions and be in attendance
- Identify employees affected by the transfer and ensure any employees impacted by the transfer who are those that are currently absent or seconded to a different role or organised organisation are identified and managed appropriately
- Develop correspondence to staff and Unions including consultation documents, transfer and measures letters, frequently asked questions fact sheet
- To undertake a coordinating/liaison role between all key stakeholders including payroll, staff side, both organisations representatives and legal services
- Identify risk and advise accordingly

Our approach post-transfer includes:

- Establish if and organisational restructure is required and develop a project plan to undertake this change and support you to undertake this change
- Provide guidance to encourage transferred employees to engage with the culture of the organisation by holding workshops and providing relevant training in line with the organisations values and policies and procedures
- Following the transfer, establish where the gaps in human capital are and provide guidance on benchmarking and recruitment and assessment following organisational change to ensure that safeguard your business against poor recruitment decisions that often have costly financial ramifications attached to it
- Undertake a post-transfer impact and risk assessment to establish if you need to be aware of any concerns and guide you to address those concerns for example, failure to implement reasonable adjustments which could result in unnecessary and costly litigation.

## The Benefits

We nip problems in the bud by providing you with fast, accurate advice as soon as a problem arises in line with KPI's set by the organisation. Additionally:

- We will provide you with a seamless and smooth transfer and support you every step of the way
- Legal and HRA services are available – separately or as a seamless combined approach
- If you are transferring corporate functions, it may avoid conflicts of interest if Capsticks HRA facilitate the transfer
- Capsticks HRA can act as the link between the organisations involved in the transfer

*For more information please contact:*



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