

Group Operations Site Relocation To Hove: Important Staff Rights

There will be many important issues affecting Group Operations Staff working in Brighton, when next month the business unit starts transferring to new premises in Hove.

LTU is concerned that many staff may not be fully aware of their rights in deciding whether or not they have to transfer and the financial consequences of whichever position they take. In fact, many staff may have been misled concerning their rights under the Bank's Mobility Policy.

In particular, some Group Operations Staff may have grounds for refusing to transfer to Hove. Where this is the case, the Bank will be legally obliged to make Severance Payments unless it can find suitable alternative roles closer to where staff live.

Mobility Policy Rights

The Bank's Mobility Policy provides protection to staff who are asked to relocate offices in three particular sets of circumstances:

- **First, where the new journey to work will be more than 25 miles each way.** It is this alone that the Bank has referred to in its communications; presumably because it believes it is unlikely that many - if any - staff will be affected by this provision!
- **Second, where the time travelling to work door-to-door by public transport would be in excess of 1 hour 15 minutes each way: less for staff working reduced hours each day.** This is likely to apply to a number of staff.

"Some Group Ops Staff may be entitled to Financial Compensation, Transfer into alternative jobs in central Brighton or even Redundancy Pay - rather than be forced to transfer to Hove!!!"

- **Third, where staff have personal or domestic circumstances that would make it difficult to transfer. Most typically, this will apply to staff who need to drop off and collect children from school each day and for whom these responsibilities would be difficult to accommodate if they relocated offices.** We suspect that this will also apply to a number of Group Operations Staff who would be expected to transfer from central Brighton to Hove.

Where any of these circumstances apply, staff will be entitled to (i) redeploy into alternative roles that would enable them to remain working in central Brighton (i.e. transfer to Telephone Banking in Sussex House); (ii) receive adjustments to their working hours which LTU believes should be at no financial cost to themselves (i.e. work less hours to accommodate the extended travel time for the same pay); or else (iii) be legally entitled to receive a Redundancy Payment if the Bank is unable to find suitable alternative roles for them that would not involve excessive travel time.

Relocation To Hove - Considerations For Staff

In many respects, LTU welcomes Group Operations' decision to relocate into new offices that will undoubtedly have superior facilities and will be able to accommodate the vast majority of the business unit's staff in Brighton & Hove into just one location.

Furthermore, the investment involved in transferring to Hove shows a longer-term commitment to the area at a time when other Group Operations sites are at risk of closure because of the business unit's Premises Strategy and Offshoring of work to India.

However, despite the benefits of relocating to Hove there are also many 'challenges' for staff arising from the transfer that must not be ignored.

Travelling By Public Transport

The staff most obviously inconvenienced by the relocation to Hove are those who have until now found it relatively easy to travel by Public Transport to the city centre but will find it much harder getting to Hove.

Many of these staff are likely to have to rely upon additional public transport journeys to get to the new offices in Hove. This will be a particular problem for those staff who have to stage their journey by having to travel into central Brighton first, before catching a further bus or train to get to Hove.

This may well present a number of 'challenges' for staff:

- **Staff are likely to incur significant additional travelling costs over the course of the year in getting to Hove. Will the Bank meet these extra costs for everyone?**
- **For some staff, the extra journey to Hove could easily add 30 minutes or more to the time they take travelling each way to and from work: particularly when adding together time waiting when switching between buses or trains, the extra train or bus journey duration and the 15 minutes it is likely to take walking from the train**

station or bus stops to the new offices.

- **There are risks that for staff who have to complete their journeys to work over two or more stages, the breakdown of one of the links - say a bus is cancelled or delayed - could lead to staff being in trouble for arriving at work late.** Whilst there might be more options available to get into central Brighton, this will not be as easy completing the journey to Hove.
- **Over the initial Summer months following the relocation the (hopefully) better weather and brighter evenings might even make it a pleasant 15 minute walk to the nearest bus stops and train station. But things will be far worse when it is dark, cold and/or wet when staff arrive and leave work over Autumn and Winter.**
- **There are also legitimate concerns for staff security - particularly for those crossing Hove Park to reach their public transport links. Arranging for staff to cross the Park in packs is hardly a satisfactory solution; particularly for those working evening and weekend shifts!**

These are all important considerations that staff will undoubtedly have to take into account when weighing-up their options concerning the relocation to Hove.

Car & Parking Difficulties

Staff who need to travel to work by car may also encounter serious problems both getting to and from the new Hove offices and with parking when they do eventually arrive.

First and foremost, there are just 120 parking spaces available on-site. And parking locally has already been a problem for Legal & General Staff and can only get worse with the addition of well over a thousand staff travelling into the area; many during peak travel times.

This has already previously led to tensions between workers and local residents!

Staff travelling by car may also incur considerable delays in the morning travelling to - or close to - the site, given the larger number of schools in close proximity.

Finally, the Union is also aware that for even those staff who are successful in finding a parking space on-site, there could be significant delays in leaving the car park, since all cars would have to pass through traffic lights at the T-junction between *The Drove* and *Nevill Road*. At peak times, it could well take a considerable amount of time getting away from the site.

Car Sharing & Motor Insurance Policies

One option being promoted by the Bank is Car Sharing in order to alleviate pressure on parking locally.

Whilst LTU fully supports the principle of car sharing, there are a number of considerations that staff should take into account if relying upon this option:

- **Whilst Car Sharing 'Partners' might be available initially, what happens if these are moved onto different work patterns or decide to leave the Bank?**

- **What alternative arrangements will be available if a 'Partner' is off work on holiday, sick or perhaps has an appointment to attend?**
- **Where one Partner is required to stay behind at work late - perhaps at short-notice to complete a task or for overtime - this may mean that the 'Partner' is left 'twiddling their thumbs' or stranded.**

Furthermore, LTU understands that staff using their own cars for formal Car Sharing arrangements will have to disclose to their Insurance Company that they are using their car for this purpose and could well incur higher insurance premiums as a consequence.

Additional Travel Time For Many Staff

What is clearest of all is that whilst some staff - and particularly those travelling from the West - may end up with shorter and more convenient journeys as a consequence of transferring to Hove, many others will be forced to endure far longer journey times.

In some cases, staff will be able to point to this additional travel time to refuse to relocate to the new offices in Hove; insisting instead on either being found suitable alternative roles in central Brighton (for instance, in Sussex House) or else to be formally declared redundant and guaranteed the Bank's Severance Terms.

To Relocate ... Or Not To Relocate!?

Until now, many Group Operations Staff affected by the office relocation from central Brighton to Hove have been given the impression that they have no option but to transfer; irrespective of additional travel time, cost or any other considerations.

For many staff this may well be the case, if the relocation has only limited impact upon them.

But a significant minority of staff - maybe 50 or more - could have a contractual or legal right to refuse to transfer to Hove.

In these circumstances, staff will be able to insist upon either transferring into an alternative job that avoids the additional travel requirement or else insist that there is no longer a suitable alternative job available for them; in which case they can insist upon receiving their full Severance Pay entitlement.

Over the following pages LTU explains the rights and entitlements of staff.

Concerned About Relocating?

LTU is aware that over recent weeks many staff have been given the impression that in July and August they have no option but to transfer to Group Operations' new offices in Hove, irrespective of the impact of the relocation upon them.

This couldn't be further from the truth.

Mobility Policy - Bank Economical With The Facts

LTU is concerned that Senior Management have been deliberately ignoring parts of the Bank's Mobility Policy so that staff are left believing that they have no right to refuse the transfer to Hove, irrespective of the additional travel time and inconvenience of making the transfer.

This is because in the Bank's communications, it has ignored any reference to safeguards over travel time and personal and domestic circumstances; focussing instead on travel distance - where it knows few if any people would cross the notional 25 mile threshold.

At best this was a careless oversight; at worst a devious calculation.

The key rights of staff when asked to transfer workplaces are detailed in the Bank's Mobility Policy, which can be found in Section 1.16 of the Bank's People, Policies & Practices (PPP) Manual.

The guidelines agreed between LTU and the Bank specify that normally staff should be expected to transfer only where;

- **The journey from home is less than 25 miles, or;**
- **The journey time for staff travelling by public transport is less than 1 hour 15 minutes.**

When applying this policy, a number of considerations need to be taken into account:

- **Personal and domestic circumstances must also be taken into account. So for example, the circumstances a member of**

staff who following the move would have difficulty dropping or collecting a child at school or nursery is also entitled to have his or her circumstances taken into account. Other examples might include where staff have other regular domestic commitments; such as having to visit a dependant relative on a regular basis.

- **Staff working less than a typical 7 hour day should not be expected to travel as far or for as long as these requirements.** For example, we wouldn't expect someone working just 4 hours a day to travel more than 15 miles or 40 minutes each way to work; since any longer would be disproportionate to the hours they work.
- **There is no obligation upon staff to either own a car or use it to get to and from work.**
- **Any journey times should be based on the times when staff would be typically expected to travel to and from work (i.e. in many cases 'rush hour').**

Any staff who feel that the relocation to Hove would mean them falling outside of the Bank's Mobility Policy requirements should contact LTU's Advice Team straightaway on 01234 262868 or visit Stuart Rankin (LTU Regional Officer for Brighton) at one of his regular Surgeries at Victory House.

Options Available To Staff

Where staff do fall outside of the Mobility Policy requirements, they may have a number of options available to them:

1. **Put up with the additional inconvenience, though perhaps in return for financial compensation to deal with any additional costs arising from the relocation.**
2. **Ask for an adjustment to their Working Hours or Work Patterns; perhaps agreeing to the additional journey on the basis that they are required to work fewer hours (to accommodate the additional travel time) without incurring a reduction in salary.**

3. **Seek redeployment into suitable alternative roles in the Bank at a location more suitable to them; perhaps transferring to work for Telephone Banking in Sussex House in central Brighton.**
4. **If all else fails, insisting that the Bank no longer has 'suitable alternative employment' to offer them and accordingly they are officially redundant. Where this is the case, staff can insist**

upon being paid the Bank's full Severance Terms appropriate to their salary, age and length of service.

However, in each of these cases it is essential that any arrangements are properly agreed, documented and secured to avoid any future misunderstandings or confusion. That is why it is imperative that members in these circumstances turn to LTU - whose Officials are highly experienced on all such matters - for proper guidance and advice.

Accommodating Relocating? Staff Options Explained

For many staff whose circumstances fall within the parameters of the Bank's Mobility Policy, there may be no option but to transfer to the new site in Hove.

To refuse to transfer without good reason could amount to a resignation without any prospect of compensation.

Nevertheless, even in these circumstances staff may wish to pursue Work Options to help them adjust their Working Hours or Patterns to help them cope with longer journeys, or financial compensation to counter-balance the additional travel costs incurred in relocating.

LTU is able to provide professional advice, guidance or representation to any members who need assistance.

But staff who do have circumstances that fall outside of the Bank's Mobility Policy - or who will incur significant additional costs as a consequence of the transfer - have important rights and entitlements that the Union's experienced Officials can help them enforce.

Financial Compensation

Unfortunately, even securing satisfactory financial compensation for the additional costs involved in transferring to Hove - whether for travelling or perhaps childcare - isn't straightforward:

- **The Bank can offer tax free compensation for 12 months; but after this staff are required to shoulder the ongoing additional financial cost of having to relocate to Hove.**
- **One alternative is to have compensation for the additional travel costs added to salaries; grossed up in value to take account of tax. But without this additional money being 'protected' this could mean that such pay increases are swiftly erased as their pay is placed higher in the Pay Zones.**
- **The most satisfactory remedy is to have the financial compensation paid with Basic Salary - and grossed up to take account of tax - but treated entirely separately from Basic Salary when judgements are made on how Pay compares within the Market Zones.**

Work Options - Adjusting Working Hours / Patterns

Another consideration to assist staff in relocating to Hove might involve making adjustments to Working Hours and Work Patterns.

For example, someone who drops their child off at school or nursery in the morning may struggle to get to work on time once they have transferred to Hove. Likewise at the end of the day.

There is an established Work Options procedure (PPP

1.29) that LTU has considerable experience at guiding staff through, which can be used to find more convenient hours for staff to work.

This could involve perhaps working the same hours but over fewer days (Condensed Working Week) or perhaps reducing the number of hours worked each day. However, given the circumstances, LTU would be seeking to ensure that where staff feel they have no option but to work fewer hours because of the move to Hove, this is achieved whilst staff are able to maintain their existing salaries.

What is essential is that staff are not caught out agreeing informal arrangements with their managers which, because they are not set up correctly, could leave staff believing they have 'guarantees' that may in fact be worthless.

This is why it is essential that any members considering contractual changes seek the Union's assistance in doing so.

Cannot Or Will Not Relocate? Redeployment Or Redundancy

For any staff whose current jobs will no longer be available at the same location - and for whom relocation to Hove is a problem either because it is beyond the required travel distance or time and/or they have personal or domestic circumstances that need to be accommodated - the Bank must make reasonable efforts to find 'suitable alternative employment'.

That is because jobs in these circumstances are technically treated as redundant; affording staff special employment rights as a consequence.

Redeployment Opportunities

Earlier we explained that staff may have a right to redeploy into alternative roles rather than transfer to Hove.

The most obvious option would be to redeploy into the Telephone Banking business unit that is based in the centre of Brighton at Sussex House. However, should staff consider this option they should be aware that:

- Levels of pay are typically lower in Telephone Banking. For example, the overwhelming majority of jobs in Telephone Banking are graded at Band 8, with the 'market rate' for Advisers in Brighton being merely £14,810.
- Management style and adherence with Bank policies within Telephone Banking has in the

past often been very 'disappointing'; though there are early signs of it improving.

There may also be redeployment opportunities within business units operating outside of the Bank's Harmonised Terms and Conditions of Employment. However, members should only ever consider accepting such roles having first explored in detail the consequences of doing so with LTU's Advice Team.

Suitable Alternative Employment

Where staff cannot or will not relocate to Hove because to do so would fall outside of the Bank's Mobility Policy guidelines, the Bank's full Job Security Policy will apply (PPP 1.14).

In these circumstances, staff may be given the option of leaving the Bank on its full Voluntary Severance Terms; details of which can be provided and explained by the Union's Advice Team and at Stuart Rankin's Surgeries at Victory House.

However, where staff would prefer redeployment into an alternative, more geographically convenient role - or if the Bank prefers redeployment to Severance - the Bank must attempt to find staff 'suitable alternative employment'.

For a job to be determined as being 'suitable alternative employment', it must meet all of the following criteria:

- *A position at the same Band or level of seniority. (However, under certain circumstances staff may be required to drop one grade - though with three years pay protection).*
- *Within the skills, competencies and experiences of an individual, subject to adequate training*
- *A 'proper job' rather than one of only a short-term nature*
- *With the same working patterns*
- *Within recognised mobility parameters.*

Staff are often offered temporary secondments or projects, but these would be treated as 'suitable alternative employment' only if there was a real prospect of the individual continuing in the post for the foreseeable future.

Unfortunately, a full description of what is 'Suitable Alternative Employment' and Redeployment and Redundancy Rights is complex and would merit an 8 page Newsletter in its own right. That is why members in these circumstances should seek the advice and guidance of the Union straightaway (see back page).

One important consideration, however, is that for many Group Operations Staff - and particularly those not currently in phone-based roles - a transfer to work as a Band 8 Adviser in Telephone Banking is unlikely to constitute a 'suitable alternative role'. Therefore, whilst some staff may nevertheless be happy to take on such roles, others may be able to refuse and insist upon receiving a Redundancy Payment instead.

Where members of staff are offered genuinely 'suitable alternative employment' they cannot unreasonably decline the alternative jobs.

However, where suitable alternative employment cannot be found, staff are guaranteed to receive the Bank's full Severance Terms.

Trial Periods

Members who have found themselves accepting alternative roles or agreeing to relocate to Hove even though they fall outside of the Bank's Mobility

Policy guidelines are entitled to a Trial Period.

This should be of between four and twelve weeks duration before staff confirm final acceptance of any new arrangements.

It is essential that members establish their right to trial periods in advance of taking up new positions and get it clearly understood in writing that if they deem a job to be unsuitable and no further job is offered, they can take Severance. This decision can be made at any time during the Trial Period.

Job Security Appeals

It is important that staff understand that senior management simply cannot 'ride roughshod' over their legal and contractual rights, through trying to 'persuade' them to relocate offices.

Because for many staff their jobs no longer remain at the current location, this is potentially a bona fide redundancy situation. That means the Bank must tread carefully to ensure that it complies with its legal responsibilities ... something that hasn't always happened since the relocation to Hove was first announced.

One important advantage of this situation is that it provides additional rights to staff who feel that they have been - or are being - treated unfairly. Whilst staff who feel they have been treated unfairly but whose circumstances fall within the Mobility Policy can raise their concerns through the Grievance Procedure (with LTU's support), those outside of the Mobility Policy have the advantage of being able to use the Job Security Appeals Procedure.

This has several important benefits including the fact that rather than presenting their case (with Union support) to a single Hearing Manager appointed by the Bank, under the Job Security Appeals Procedure the Appeals Panel consists of an even number (four each) of Union and Bank Officials; whose role it is to act impartially and weigh up the facts alone.

Of course, whichever route staff are able and choose to take, the fact remains that it is essential that members take the fullest possible advantage of LTU's advice, information, guidance and representation.

Support You Can Count On

The measure of any trade union is the quality of support it is able to provide its members when they are most in need of help.

And the issues arising for Group Operations Staff from the office relocation in July from central Brighton to Hove is a perfect illustration of the importance and value of LTU membership.

LTU's highly experienced staff, our focus just on Lloyds TSB and complete independence from the Bank means that no-one comes close when it comes to being able to provide Group Operations Staff in Brighton with professional advice and support.

Over the coming weeks and months it is inevitable that many Group Operations Staff will need assistance and support. LTU guarantees our members that they will receive:

- **Detailed Newsletters like this explaining staff rights and entitlements**, rather than short briefings merely mimicking what the Bank has to say.
- **Regular visits by experienced LTU Officials - and particularly our Regional Officer for Brighton, Stuart Rankin - who are fully trained and experienced at assisting members with Job Security and Mobility concerns.** We don't use Bank secondees to advise and represent our members.
- **Genuine around-the-clock advice provided by our Advice Team. Members can telephone 01234 262868 to speak to LTU's Advice Team at any time; whether during the day, night or weekend.**
- **The certainty that every member of our Advice Team fully understands staff issues since they themselves previously worked for the Bank ... and the reassurance that they are paid only by LTU and not seconded from the Bank.**
- **Collective Representation of staff concerns by LTU's experienced team of negotiators who meet with Group Operations senior management every few weeks. LTU regularly has representatives from Group Operations in Brighton attending these meetings.**
- **Full representation and support for staff who wish to use the Grievance or Job Security Appeals Procedure.**

Members wanting to call LTU's Advice Line Service should phone 01234 262868 at anytime; whether during the day, night or weekend.

Of course, all of these services are available exclusively to members of LTU. So if you are not already a member, it is essential that you join LTU straightaway.

Stuart Rankin - LTU's highly experienced Regional Officer for Brighton & Hove - will be holding Surgeries for members on the following dates:

- **Wednesday 11th June: Room 5B (11.30-16.30)**
- **Friday 27th June: Room 5B (12.00-16.00)**

Staff are entitled to take reasonable time away from their work to speak to Stuart.

STEVE TATLOW
Assistant General Secretary