

DRAFT MINUTES PENDING CONFIRMATION AT THE NEXT MEETING

BATH AND NORTH EAST SOMERSET

RE-STRUCTURING IMPLEMENTATION COMMITTEE

Monday, 11th November, 2013

Present:- Councillor Paul Crossley in the Chair
Councillors John Bull, Bryan Chalker and Tim Warren

1 APOLOGIES FOR ABSENCE

There were no apologies for absence

2 EMERGENCY EVACUATION PROCEDURE

The Senior Democratic Services Officer read out the procedure

3 DECLARATIONS OF INTEREST

There was none

4 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIR

The Divisional Director - Legal and Democratic Services stated that another individual case of redundancy compensation had arisen which would require a decision by the Committee. The Chair agreed that this be taken as Urgent Business in Exempt Session at the end of the meeting.

5 MINUTES OF PREVIOUS MEETING

The Minutes of the previous meeting held on Tuesday 4th December 2012 were approved as a correct record and signed by the Chair

6 QUESTIONS AND STATEMENTS

There was none

7 FUTURE COUNCIL - IMPLEMENTATION PROPOSALS

Referring to the Minutes of the meeting held on 25th July 2012, the Committee considered the report of the Head of Human Resources which (1) dealt with recommendations for the approval of new senior management arrangements in respect of the Resources, Place and People portfolios in accordance with the Committee's Terms of Reference; and (2) asked the Committee to determine arrangements for the approval of severance payments to senior staff in the light of guidance from the Secretary of State for Communities and Local Government.

The Head of Human Resources tabled an update on the financial implications (which is attached as an Appendix to these Minutes). He also verbally updated Appendix 3, deleting reference to “Highways project delivery” in the portfolio of the Divisional Director – Project, and in Appendix 4 varying the post title of Divisional Director – Planning in the proposed new “Place” structure.

After discussion, the Members considered that the recommendations in paragraphs 2.1 – 2.4 were acceptable.

The Divisional Director - Legal and Democratic Services reported on the reasoning for the recommendation in paragraph 2.5. Members questioned whether severance packages with a total cost in excess of £100,000 should be a decision for full Council rather than the Restructuring Implementation Committee. The Chief Executive and Divisional Director - Legal and Democratic Services advised that this would be considered by Council in February when the Pay Policy was reviewed. In the meantime, there were 2 individual cases which needed to be considered. Such consideration was clearly within the Committee’s remit pending that review.

Members agreed to consider these before full Council is given the options of whether future decisions should be for the Committee or the Council in February 2014.

RESOLVED

- (1) To note the current position in respect of the Resources Services as outlined in paragraphs 5.6 and 5.7 of the report and approve the draft senior management structure, as set out in Appendix 3 to the report, for implementation;
- (2) To approve the organisational arrangements including senior management structure in the People and Communities Department, as outlined in paragraphs 5.11 – 5.13 and Appendix 5 to the report, including arrangements reflecting the transfer of the Public Health function from the NHS on 1st April 2013;
- (3) To note the current position in respect of Place Services, as outlined in paragraphs 5.8 and 5.10 and approve the draft senior management structure, as set out in Appendix 4 to the report, for implementation, subject to the outcome of the formal consultation process;
- (4) To delegate to the Chief Executive, in consultation with the Spokespersons of the Committee, authority to take any action necessary or appropriate in respect of the structures approved to enable the implementation of the proposals; and
- (5) To agree that the following be adopted as interim practice by the Council pending the next formal review of its Pay Policy in February 2014:
 - (i) Any proposed severance package with a total cost to the Council in excess of £100,000 be referred to the Restructuring Implementation Committee until a decision is made by Council to refer such cases either to (a) the Restructuring Implementation Committee; or (b) the full Council (in Exempt Session) for consideration; and

- (ii) In determining the threshold, the component elements of the package would include any proposals in respect of salary to be paid in lieu, redundancy compensation, pension entitlements, holiday pay and any bonuses, fees or allowances as appropriate.

8 EXCLUSION OF THE PUBLIC

RESOLVED that, having been satisfied that the public interest would be better served by not disclosing relevant information and, in accordance with the provisions of Section 100 (A) (4) of the Local Government Act 1972, the public be excluded from the meeting for the following item of business because of the likely disclosure of exempt information as defined in paragraph 1 of Part 1 of Schedule 12 A of the Act as amended.

9 REDUNDANCY COMPENSATION - INDIVIDUAL CASE (1)

The Committee considered an updated exempt report by the Head of Human Resources which sought agreement to a dismissal by reason of redundancy.

The Divisional Director - Legal and Democratic Services provided amended wording to the recommendation.

Members discussed the issues. It was stated that the matter had been discussed on an informal basis with relevant Cabinet Members.

RESOLVED that the proposal be approved subject to further clarification concerning the business case and the consequential additional savings and the Chief Executive be given delegated authority to take all necessary steps to implement the proposals set out in the report.

10 PROPOSED REDUNDANCY - INDIVIDUAL CASE (2)

The Head of Human Resources reported on a further individual case for proposed redundancy. He identified the costs and benefit to the Council of the proposal.

Members discussed the proposal and the circumstances giving rise to it.

RESOLVED that the proposal be approved and the Chief Executive be given delegated authority to take all necessary steps to implement the proposals.

The meeting ended at 2.45 pm

Chair(person)

Date Confirmed and Signed

Prepared by Democratic Services