

Democratic Services

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Date: 20 April 2017

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To: All Members of the Re-Structuring Implementation Committee

Councillor Sarah Bevan

Councillor Robin Moss

Councillor Dine Romero

Councillor Tim Warren

Chief Executive and other appropriate officers

Press and Public

Dear Member

Re-Structuring Implementation Committee: Thursday, 27th April, 2017

You are invited to attend a meeting of the **Re-Structuring Implementation Committee**, to be held on **Thursday, 27th April, 2017** at **9.00 am** in the **Chief Executive's Office - Guildhall, Bath.**

The agenda is set out overleaf.

Yours sincerely

Jo Morrison
for Chief Executive

If you need to access this agenda or any of the supporting reports in an alternative accessible format please contact Democratic Services or the relevant report author whose details are listed at the end of each report.

This Agenda and all accompanying reports are printed on recycled paper

NOTES:

- 1. Inspection of Papers:** Any person wishing to inspect minutes, reports, or a list of the background papers relating to any item on this Agenda should contact Jo Morrison who is available by telephoning Bath 01225 394358 or by calling at the Guildhall Bath (during normal office hours).
- 2. Public Speaking at Meetings:** The Council has a scheme to encourage the public to make their views known at meetings. They may make a statement relevant to what the meeting has power to do. They may also present a petition or a deputation on behalf of a group. Advance notice is required not less than two full working days before the meeting (this means that for meetings held on Wednesdays notice must be received in Democratic Services by 4.30pm the previous Friday)

The public may also ask a question to which a written answer will be given. Questions must be submitted in writing to Democratic Services at least two full working days in advance of the meeting (this means that for meetings held on Wednesdays, notice must be received in Democratic Services by 4.30pm the previous Friday). If an answer cannot be prepared in time for the meeting it will be sent out within five days afterwards. Further details of the scheme can be obtained by contacting Jo Morrison as above.

- 3. Details of Decisions taken at this meeting** can be found in the minutes which will be published as soon as possible after the meeting, and also circulated with the agenda for the next meeting. In the meantime details can be obtained by contacting Jo Morrison as above.

Appendices to reports are available for inspection as follows:-

Public Access points – Reception: Civic Centre - Keynsham, Guildhall - Bath, The Hollies - Midsomer Norton. Bath Central and Midsomer Norton public libraries.

For Councillors and Officers papers may be inspected via Political Group Research Assistants and Group Rooms/Members' Rooms.

4. Recording at Meetings:-

The Openness of Local Government Bodies Regulations 2014 now allows filming and recording by anyone attending a meeting. This is not within the Council's control.

Some of our meetings are webcast. At the start of the meeting, the Chair will confirm if all or part of the meeting is to be filmed. If you would prefer not to be filmed for the webcast, please make yourself known to the camera operators.

To comply with the Data Protection Act 1998, we require the consent of parents or guardians before filming children or young people. For more information, please speak to the camera operator

The Council will broadcast the images and sound live via the internet www.bathnes.gov.uk/webcast An archived recording of the proceedings will also be available for viewing after the meeting. The Council may also use the images/sound recordings on its social media site or share with other organisations, such as broadcasters.

- 5. Attendance Register:** Members should sign the Register which will be circulated at the meeting.

6. THE APPENDED SUPPORTING DOCUMENTS ARE IDENTIFIED BY AGENDA ITEM NUMBER.

7. Emergency Evacuation Procedure

When the continuous alarm sounds, you must evacuate the building by one of the designated exits and proceed to the named assembly point. The designated exits are sign-posted.

Arrangements are in place for the safe evacuation of disabled people.

Re-Structuring Implementation Committee - Thursday, 27th April, 2017

at 9.00 am in the Chief Executive's Office - Guildhall, Bath

A G E N D A

1. ELECTION OF CHAIR

2. APOLOGIES FOR ABSENCE

3. EMERGENCY EVACUATION PROCEDURE

The Chair will draw attention to the emergency evacuation procedure as set out under Note 7.

4. DECLARATIONS OF INTEREST

At this point in the meeting declarations of interest are received from Members in any of the agenda items under consideration at the meeting. Members are asked to indicate:

(a) The agenda item number in which they have an interest to declare.

(b) The nature of their interest.

(c) Whether their interest is **a disclosable pecuniary interest** *or* an **other interest**,
(as defined in Part 2, A and B of the Code of Conduct and Rules for Registration of Interests)

Any Member who needs to clarify any matters relating to the declaration of interests is recommended to seek advice from the Council's Monitoring Officer or a member of his staff before the meeting to expedite dealing with the item during the meeting.

5. TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIR

6. MINUTES OF PREVIOUS MEETING - 13TH SEPTEMBER 2016 (Pages 7 - 8)

To be confirmed as a correct record and signed by the Chairman.

7. EXCLUSION OF THE PUBLIC

RECOMMENDATION that, having been satisfied that the public interest test 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 Paragraphs 1 and 2 of Part 1 of Schedule 12A of the Act as amended.

8. REDUNDANCY PROPOSALS (Pages 9 - 10)

This report seeks the Committee's agreement to the proposed dismissal by reason of redundancy in the individual case(s) presented and the consequential proposed severance payments. The exempt appendix will be circulated under separate cover.

The Committee Administrator for this meeting is Jo Morrison who can be contacted on 01225 394358.

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BATH AND NORTH EAST SOMERSET

RE-STRUCTURING IMPLEMENTATION COMMITTEE

Tuesday, 13th September, 2016

Present:- Councillors Sarah Bevan, Robin Moss, Dine Romero, Tim Warren and Lin Patterson (in place of Jonathan Carr)

8 ELECTION OF CHAIR

On a motion from Councillor Dine Romero, seconded by Councillor Sarah Bevan, it was agreed that Councillor Tim Warren would chair the meeting.

9 APOLOGIES FOR ABSENCE

Apologies were received from Councillor Jonathan Carr who was substituted by Councillor Lin Patterson.

10 EMERGENCY EVACUATION PROCEDURE

The Chairman drew attention to the emergency evacuation procedure as set out on the agenda.

11 DECLARATIONS OF INTEREST

There were no declarations of interest made.

12 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIR

There were no items of urgent business.

13 MINUTES OF PREVIOUS MEETING - 10TH MAY 2016

On a motion from Councillor Tim Warren, seconded by Councillor Dine Romero, it was

RESOLVED that the minutes of the meeting of 10th May 2016 be confirmed as a correct record and signed by the Chairman.

14 EXCLUSION OF THE PUBLIC

On a motion from Councillor Tim Warren, seconded by Councillor Dine Romero, it was

RESOLVED That, having been satisfied that the public interest test 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 paragraphs 1 and 2 of Part 1 of Schedule 12A of the Act as amended.

15 REDUNDANCY PROPOSALS

The Head of Human Resources & Organisation Development drew Members' attention to the key points in the report, and exempt appendix, which had been circulated. He also invited the Divisional Director – Community Regeneration to supply background information relating to the service proposal.

On a motion from Councillor Dine Romero, seconded by Councillor Tim Warren, it was

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

The meeting ended at 9.45 am

Chair(person)

Date Confirmed and Signed

Prepared by Democratic Services

Bath & North East Somerset Council		
MEETING:	Restructuring Implementation Committee	AGENDA ITEM NUMBER
DATE:	27 April 2017	
TITLE:	Redundancy proposal	
WARD:	ALL	
REPORT OF THE HEAD OF HUMAN RESOURCES & OD		

1 THE ISSUE

- 1.1 To seek the Committee's agreement to the proposed dismissal by reason of redundancy in the individual case presented and the consequential proposed severance payments.

2 RECOMMENDATION

- 2.1 That the proposal presented is approved and the Chief Executive be given delegated authority to take all steps necessary to implement it.

3 FINANCIAL IMPLICATIONS

- 3.1 As part of the 2016/17 budget, each Directorate was allocated additional savings targets, identified as Management and Service Reviews (MSR). These were additional savings on top of the already identified 2015/16 underspends and together these total £3.1m
- 3.2 The financial implication of the particular case is set out in the exempt appendix provided for the Committee.
- 3.3 The costs will be met from the Council's approved earmarked reserves.

4 THE REPORT

- 4.1 In considering ways to achieve efficiencies in management and staffing costs, services have looked at existing organisational design. In some instances this has led to the consideration of alternative staffing models. Where staff have been displaced as a result, the Council's Organisational Change procedures have been applied. As a general principle, these procedures seek to avoid redundancy. However, given the scale of change, this is not always possible.
- 4.2 Under existing policy (applicable to all Council staff), in the circumstances of redundancy, a compensatory payment based upon an agreed formula is made. In addition, as the dismissal is by reason of redundancy the officer (if a member of the Local Government Pension Scheme (LGPS) satisfying the relevant Pension Regulations) would be entitled to the immediate payment of accrued benefits in the LGPS (i.e. lump sum and annual pension). The

Council as a Scheme Employer would be required to make an immediate one-off payment to the Avon Pension Fund to cover the cost of early release of benefit.

4.2 In February 2013, the Secretary of State for Local Government and Communities, published Supplementary Guidance [under section 40 of the Localism Act 2011] on the issue of severance payments to local government staff. Local authorities must have regard to the guidance in the exercise of their functions under the pay accountability provisions of the Act.

4.3 The Council in considering this guidance resolved, recognising the need for openness and accountability alongside legal obligations in respect of the handling of personal data, business efficiency etc that:

- (1) any proposed severance package in excess of £100,000 be referred to the Restructuring Implementation Committee for consideration
- (2) 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.

4.4 The Committee is asked to consider the proposal set out in the Exempt Appendix to this report. It needs to be satisfied that the operational advantages and benefits to the efficient exercise of the Council's functions are such that payment of the amount proposed is appropriate and in the overall interest of the Council.

5 EQUALITIES AND RISK MANAGEMENT

5.1 The Organisational Change Policy and associated procedures, for which the Redundancy Payments Scheme forms part, was the subject of full Risk Assessment at the time they were adopted by the Council. The proposal takes account of equalities issues and complies with the requirements of the LGPS regulations.

6 CONSULTATION

6.1 The budget savings targets are the subject of ongoing consultation with the relevant trades unions who are aware of redundancy considerations.

7 ADVICE SOUGHT

7.1 The Chief Executive, Council's Monitoring Officer and Section 151 Officer have had the opportunity to input to this report and have cleared it for circulation.

Contact person	William Harding, Head of Human Resources & OD (Tel: 01225 477203)
Background papers	None
Please contact the report author if you need to access this report in an alternative format	