

# Restructuring Implementation Committee

**Date: Thursday, 30th November, 2017**  
**Time: 12.30 pm**  
**Venue: Guildhall**

Councillor Sarah Bevan  
Councillor Robin Moss  
Councillor Dine Romero  
Councillor Tim Warren

Chief Executive and other appropriate officers  
Press and Public



**Jo Morrison**

**Democratic Services**

Lewis House, Manvers Street, Bath, BA1 1JG

Telephone: 01225 394358

Web-site - <http://www.bathnes.gov.uk>

E-mail: [Democratic\\_Services@bathnes.gov.uk](mailto:Democratic_Services@bathnes.gov.uk)

## NOTES:

1. **Inspection of Papers:** Papers are available for inspection as follows:

Council's website: <https://democracy.bathnes.gov.uk/ieDocHome.aspx?bcr=1>

Paper copies are available for inspection at the **Public Access points:-** Reception: Civic Centre - Keynsham, Guildhall - Bath, The Hollies - Midsomer Norton. Bath Central and Midsomer Norton public libraries.

2. **Details of decisions taken at this meeting** can be found in the minutes which will be circulated with the agenda for the next meeting. In the meantime, details can be obtained by contacting as above.

3. **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](http://www.bathnes.gov.uk/webcast) The Council may also use the images/sound recordings on its social media site or share with other organisations, such as broadcasters.

4. **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. They may also ask a question to which a written answer will be given. **Advance notice is required not less than two full working days before the meeting. This means that for meetings held on Thursdays notice must be received in Democratic Services by 5.00pm the previous Monday.** Further details of the scheme:

<https://democracy.bathnes.gov.uk/ecCatDisplay.aspx?sch=doc&cat=12942>

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

6. **Supplementary information for meetings**

Additional information and Protocols and procedures relating to meetings

<https://democracy.bathnes.gov.uk/ecCatDisplay.aspx?sch=doc&cat=13505>

## Restructuring Implementation Committee - Thursday, 30th November, 2017

at 12.30 pm in the Guildhall

### A G E N D A

1. APOLOGIES FOR ABSENCE

2. EMERGENCY EVACUATION PROCEDURE

The Chair will draw attention to the emergency evacuation procedure as set out under Note 5.

3. 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.

4. TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIR

5. MINUTES OF PREVIOUS MEETING - 17TH OCTOBER 2017 (Pages 7 - 8)

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

6. QUESTIONS AND STATEMENTS

7. EXCLUSION OF THE PUBLIC

The Committee is invited to consider if it wishes to move into exempt session. If so, the following resolution must be passed.

**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 PROPOSAL (Pages 9 - 14)

The Committee is asked to agree to the proposed dismissal by reason of redundancy in the individual case presented, and the consequential proposed severance payments.

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

**BATH AND NORTH EAST SOMERSET**

**RESTRUCTURING IMPLEMENTATION COMMITTEE**

Tuesday, 17th October, 2017

**Present:-** Councillors Sarah Bevan, Robin Moss, Dine Romero and Tim Warren

**Also in attendance:** Dawn Brown, Human Resources Consultant

**31 EMERGENCY EVACUATION PROCEDURE**

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

**32 DECLARATIONS OF INTEREST**

The following Councillors declared an 'other' interest as they were acquainted with both of the candidates;

Councillor Sarah Bevan  
Councillor Robin Moss  
Councillor Dine Romero  
Councillor Tim Warren

**33 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIR**

There were no items of urgent business.

**34 MINUTES OF PREVIOUS MEETING - 5TH OCTOBER 2017**

On a resolution from Councillor Tim Warren, seconded by Councillor Robin Moss, it was

**RESOLVED** that the minutes of the meeting of 5<sup>th</sup> October 2017 be approved as a correct record and signed by the Chair.

**35 QUESTIONS AND STATEMENTS**

There were none.

**36 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 Scheduled 12A of the Act as amended.

**37 APPOINTMENT OF CHIEF EXECUTIVE & HEAD OF PAID SERVICE - NEXT STEPS**

Interviews were conducted for the position. The Committee were assisted by Dawn Brown, independent Human Resources Consultant.

Following a thorough assessment process, it was unanimously

**RESOLVED** that a successful candidate was selected and that Council be recommended to agree terms and confirm the appointment.

The meeting ended at 4.00 pm

Chair(person) .....

Date Confirmed and Signed .....

**Prepared by Democratic Services**

Bath & North East Somerset Council		
MEETING:	Restructuring Implementation Committee	AGENDA ITEM NUMBER
DATE:	30 <sup>th</sup> November 2017	
TITLE:	Redundancy proposal	
WARD:	ALL	
REPORT OF DIVISIONAL DIRECTOR, STRATEGY & PERFORMANCE		

## **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 on attached exempt appendix 1 is approved and the Chief Executive be given delegated authority to take all steps necessary to implement it.

## **3 FINANCIAL IMPLICATIONS**

- 3.1 The Council is faced with unprecedented financial pressures, with a budget gap of £16m to be met. This is part of a continuing programme of cost reduction and restructures have been taking place on an ongoing basis to realise savings.
- 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	David Trethewey, Divisional Director – Strategy and Performance (Tel: 01225 396353)
Background papers	None
Please contact the report author if you need to access this report in an alternative format	



By virtue of paragraph(s) 1, 2 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank