

<b>Bath &amp; North East Somerset Council</b>		
MEETING:	<b>Restructuring Implementation Committee</b>	AGENDA ITEM NUMBER
DATE:	<b>25<sup>th</sup> May 2021</b>	
TITLE:	<b>Flexible retirement proposal</b>	
WARD:	ALL	
<b>REPORT OF CHIEF EXECUTIVE</b>		

## **THE ISSUE**

1.1. To seek the Committee's agreement to the proposed flexible retirement to avoid the need for a compulsory redundancy of a Director and the consequential proposed strain on fund payment.

## **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. The financial implication of the particular case is set out in the exempt appendix provided for the Committee.

## **4. THE REPORT**

4.1. Proposals have been developed to realign and reduce the senior management structure to ensure that council priorities can be delivered in an affective and affordable way. 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.

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:

4.3.1. any proposed flexible retirement package in excess of £100,000 be referred to the Restructuring Implementation Committee for consideration

4.3.2. 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 relevant recognised trades unions have been fully consulted on the senior management restructure and have been made aware of this particular case.

## **7. ADVICE SOUGHT**

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

<b>Contact person</b>	<i>Will Godfrey, Chief Executive (Tel: 01225 477400)</i>
<b>Background papers</b>	<b>None</b>
<b>Please contact the report author if you need to access this report in an alternative format</b>	