

Bath & North East Somerset Council

MEETING:	Restructuring Implementation Committee	
MEETING DATE:	9th January 2024	
TITLE:	Redundancy proposal	
WARD:	All	
LIKELY TO BE TAKEN IN EXEMPT SESSION		
List of attachments to this report: Appendix 1 – Confidential Report Appendix 1 is exempt due to confidential personal information being disclosed, under Schedule 12A of The Local Government Act 1972		

1 THE ISSUE

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

2 RECOMMENDATION

Resources Implementation Committee is asked to;

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

3 THE REPORT

- 3.1 Proposals have been developed to realign and reduce the senior management structure to ensure that council priorities can be delivered in an effective 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 compulsory redundancy. However, given the scale and type of change, this is not always possible.
- 3.2 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.

- 3.3 The Committee is asked to consider the proposals 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.

4 STATUTORY CONSIDERATIONS

- 4.1 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.

- 4.2 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.

5 RESOURCE IMPLICATIONS (FINANCE, PROPERTY, PEOPLE)

- 5.1 The financial implications are outlined in the Exempt Appendix.

6 RISK MANAGEMENT

- 6.1 A risk assessment related to the issue and recommendations has been undertaken, in compliance with the Council's decision making risk management guidance. 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.

7 EQUALITIES

The proposal takes account of equalities issues and complies with the requirements of the LGPS regulations.

8 CLIMATE CHANGE

- 8.1 The Corporate Strategy establishes the climate and ecological emergency as a core policy driver for the Council. The implementation of a revised senior management structure will allow a refocus of service priorities to ensure they are

aligned to improving the climate and to help the Council achieve carbon neutrality by 2030.

9 OTHER OPTIONS CONSIDERED

9.1 None

10 CONSULTATION

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

Contact person	<i>Will Godfrey, Chief Executive (Tel: 01225 477203)</i>
Background papers	<i>None</i>
Please contact the report author if you need to access this report in an alternative format	