

Taunton Deane Borough Council

Council – 22 July 2014

West Somerset Council

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Approval of Redundancies

Report of the Retained HR Manager

This matter is the responsibility of the Leader of the Council, Councillor John Williams and Cllr Vivienne Stock-Williams, Portfolio Holder for Resources for TDBC and the Leader of Council, Councillor Tim Taylor and the Cllr Kate Kravis, Lead Member for Resources for WSC.

1 Executive Summary

This report is requesting Council to approve the redundancies of the Revenues, Benefits and Debt Recovery Manager (WSC) with effect from 31 July 2014 and the Planning Policy Lead (TDBC) with effect from 28 February 2015. The necessary financial approvals are already in place via the Business Case for Joint Management and Shared Services. This request for Full Council approval is a separate requirement of the Councils HR policies.

2 Background

2.1 The purpose of this report is to request that Councils agree the redundancies of:

the Revenues, Benefits and Debt Recovery Manager (WSC) as at 31 July 2014; and

the Planning Policy Lead (TDBC) as at 28 February 2015.

2.2 There is a requirement for these redundancies to be approved by Full Council as the 2014/15 Pay Policy Statements contain the following:

‘That where severance payments for staff exceed £100,000 they will be reported to Full Council for approval and in presenting information to Full Council the components of the relevant severance package will be clearly set out. These components may include salary paid in lieu, redundancy compensation, pension entitlements, holiday pay and any bonuses, fees or allowances paid.’

- 2.3 Under the Joint Management and Share Services (JMASS) project the post holders were placed 'at risk' of redundancy and expressed the preference to leave the organisation. These requests allowed other staff to be slotted into posts within the new JMASS structures and were accepted by the Assistant Director (Resources) and Assistant Director (Planning and Environment) and the Senior Leadership Team after consideration of all the financial implications and HR implications.
- 2.4 The financial details are set out in Appendices A and B.

3 Resources

- 3.1 The Resources restructure was part of Phase 2 of the Tier 4/5 review with the new structure becoming effective from 1 August 2014. The post holder expressed an interest in taking redundancy and this request allowed other staff to be slotted in and helped to reduce the risk of challenge in setting up the new structure.
- 3.2 The risks associated with this decision have been considered by the Assistant Director who has been working with affected staff on transition plans. As the new structures are effective from 1 August 2014 the post holder will be paid 11 weeks in lieu of notice.

4 Planning Policy

- 4.1 Although Phase 1 of the Tier 4/5 restructure took effect from 1 July 2014 discussions have been held with the employee to secure their services until the 28 February 2015 to ensure sufficient capacity is available to manage the workload of the team which includes the preparation and examination of the Site Allocations and Development Management Plan
- 4.2 This additional period of service is being funded from the LDF reserve and does not impact on the savings required for the JMASS Project.

5 Finance Comments

- 5.1 Both Full Council's approved funding for JMASS project termination costs in Nov 2013 of £1,191k (WSC £293k: TDBC £898k). The total costs for both posts are £260k which is affordable within the agreed budget. An update on the JMASS project will be provided in the autumn.
- 5.2 The payback period for both posts is under 3 years and therefore within normal acceptable boundaries. The finance details are set out in the confidential appendices A & B.
- 5.3 Should these posts remain part of the organisation then the ongoing savings proposed in the new structures could be reduced by £102k for Tier 4&5.

6 Legal Comments

- 6.1 All relevant employment legislation and HR policy has been complied with.
- 6.2 The creation of the JMASS staffing structures has been delegated to the Chief Executive but, due to the requirement for all redundancies over £100,000 to be approved by Full Council, there is a need for these specific proposals to be considered by Members.
- 6.3 The requests for redundancy have been considered against and accord with Council policies. Individually and together they pay back within a three year period but it should be remembered that these are part of the wider JMASS review.
- 6.4 Should either Council determine that either or both of the redundancies should not be approved then there is a risk of challenge by the affected post holders as this decision may be deemed to be discriminatory.

7 Links to Corporate Aims

- 7.1 This proposal is in response to the JMASS Project but also – in the case of the Planning Policy Lead post - ensures the continuation of ongoing current work on planning policies for adoption by Taunton Deane BC in 2015, which will support the growth agenda.

8 Environmental and Community Safety Implications

- 8.1 None associated with this report.

9 Equalities Impact

- 9.1 None associated with this report.

10 Risk Management

- 10.1 The legal comments highlight potential risks of challenge from the affected employees if Council decide not to approve the redundancies. In addition to this risk such a decision would also reduce the financial savings made as part of the T4/5 Review for both Service areas and increase the impact on front line services in Tier 6 being affected.

11 Partnership Implications

- 11.1 None for the purposes of this report.

12 Recommendations

- 12.1 That Councils approve the redundancies of the Revenues, Benefits and Debt Recovery Manager (WSC) with effect from 31 July 2014 and the Planning Policy Lead (TDBC) with effect from 28 February 2015 in accordance with the financial details set out in Appendices A and B.

Background Papers
2014/15 Pay Policy Statements

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