

**Report for:**                **Disciplinary, Grievance and Dismissal Panel**

**Title of Report**        **Assistant Director - Proposed Redundancy**

**Report authorised by**    **Andy Donald, Chief Executive**

**Lead Officer:**        **Dan Paul, Chief People Officer**

**Ward(s) affected:** **All**

**Report for Key/ Non Key Decision:**    **Non Key**

**1. Describe the issue under consideration**

- 1.1 The financial situation of the Council means that costs need to be reduced. There is an opportunity to accept a voluntary redundancy at Assistant Director level at this point which will reduce the number of AD posts by one on an ongoing basis and will facilitate a restructure to provide a streamlined and lower cost management structure.
- 1.2 The Panel is required to approve the severance costs in line with the Council's Constitution.
- 1.3 Approving this redundancy will mean that in the short term, the Director will need to put in place interim arrangements to manage the service until a restructure is brought forward. This is considered reasonable and proportionate in the circumstances, considering the benefits of the proposal and in reducing the future requirement for compulsory redundancy.
- 1.4 Further detail on the case is in Exempt Appendix 1.

**2. Cabinet Member Introduction**

Not applicable.

**3. Recommendations**

Approve the redundancy package in accordance with the Council's Pay Policy Statement.

**4. Reason for decision**

4.1 In order to reduce senior management costs and enable a restructure of senior management.

## **5. Alternative options considered**

5.1 It would be possible not to accept this voluntary redundancy. This would lead to senior management costs needing to be reduced via more compulsory redundancies than would otherwise be necessary. The Committee has no discretion not to pay any of the payments as they are all required by contract or statute.

## **6. Contribution to strategic outcomes**

6.1 This redundancy reduces senior management costs on an ongoing basis which will assist in the financial management of the Council.

## **7. Statutory Officers' comments**

### **7.1 Finance**

The redundancy costs will be met from the Corporate budget.

### **7.2 Procurement**

Not applicable

### **7.3 Legal**

7.3.1 The report proposes the voluntary redundancy of an Assistant Director level position as part of a planned restructuring exercise and falls within the Director's delegated powers. Part 3 Section E of the Constitution, delegates power to Directors to be exercised with in agreement to the Assistant Director of HR to affect establishment changes including the creation and deletion of any posts in their service area, provided that such changes are contained within existing budgets and in accordance with agreed procedures and legislative requirements.

7.3.2 A voluntary redundancy is a form of dismissal in law and must be effected in accordance with the Council's Organisational Change Policy.

7.3.3 An employee approved for voluntary redundancy is entitled to receive compensation for the loss of employment in addition to a statutory redundancy payment. The enhanced redundancy payment under the Council's policy is underpinned by The Local Government (Early Termination of Employment) (Discretionary Compensation) (England and Wales) Regulations 2006.

7.3.4 The Localism Act 2011 requires the Council to publish an annual Pay Policy Statement which outlines the Council's approach to the pay of its workforce and

in particular the pay of its senior staff. The Council's Pay Policy states that Severance payments of £100,000 or more must be considered and approved by the appropriate Member Committee. Under Part 3 Section B paragraph 11 e) of the Constitution this Panel is assigned responsibility to discharge that statutory function.

## **8 Equality**

A full EqIA was not required due to the small impact upon the profile of the workforce.

## **9 Use of Appendices**

1. Exempt Appendix

## **10 Local Government (Access to Information) Act 1985**

None