

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

Title of Report Special Severance Payment

Report authorised by Barry Francis, Corporate Director of Environment and Resident Experience

Lead Officer: **Eubert Malcolm, Director of Environment**

Ward(s) affected: All

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

1. Describe the issue under consideration

- 1.1 In light of the current financial position of the Council, the Director launched a formal reorganisation within the Highways & Parking and Transport & Travel Service areas which proposed how services and teams should be reconfigured. The scope of these proposals impacted six Head of Service roles which would be deleted as cost saving initiatives and replaced by three new positions.
- 1.2 The Panel is required to approve the severance costs for one of the employees impacted in line with the Council's Constitution.
- 1.3 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 the Highways & Parking and Transport & Travel Service areas.

5. Alternative options considered

- 5.1 The Director has undertaken a formal reorganisation within the service area which proposed a reduction in Heads of Service. An alternative approach would displace another member of staff and still result in a redundancy payment being required. 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 report seeks approval from the Disciplinary, Grievance and Dismissal Panel to award a special severance payment in accordance with the Council's Pay Policy Statement.

The formal reorganisation in Highways & Parking and Transport & Travel Services form part of the wider reorganisation in Environmental and Residence Experience (ERE) and the cost of redundancy in ERE is expected to be circa £450k which was reported to the Cabinet through the budget monitor reports.

The cost of redundancy resulting from the reorganisation is expected to be managed within the corporate resources.

7.2 Procurement

Not applicable

7.3 Legal

- 7.3.1 The report proposes the redundancy of a Head of Service 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 Chief People officer 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 redundancy is a form of dismissal in law and must be affected in accordance with the Council's Organisational Change Policy.

- 7.3.3 An employee subjected to 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