

## Audit Committee – 12 November 2024 – Public Questions

Annexe A – Public Questions	
Name of person submitting	Question
<p><b>Nigel Behan</b></p>	<p>It is noted that:</p> <p>“Two Workforce programme risks have increased as a result of progressing the Council restructure:</p> <ul style="list-style-type: none"> <li>o ITP0006 Council struggles to recruit and retain required talent and knowledge has moved from medium to high.</li> <li>o ITP0009 Excessive loss of staff with talent and organisational knowledge has moved from low to high.s”</li> </ul> <p>and, that: “Damage to Trade Union relations and risk of industrial action”</p> <ul style="list-style-type: none"> <li>“• Failure to consult and engage”</li> <li>“• Failure to reach agreement on the VR scheme/CR details in regards to criteria/approach” are currently “scored” at “12” with consequent</li> <li>“• Loss of trust</li> <li>• Loss of confidence in management”</li> </ul> <p>Apparently: “In respect of any change to the terms and conditions upon which an employee works, regulation 4(4) of the <a href="#">TUPE regulations state that any purported variation of a contract shall be void if either “the sole or principal reason for the variation is the transfer itself or a reason connected with the transfer that is not an economic, technical or organisational reason entailing changes in the workforce.”</a></p> <p>ETO <a href="#">TUPE refers to the basis upon which an employer is permitted to make changes under the regulations to an employee’s contract</a> following a TUPE transfer or, where necessary, to dismiss an employee, namely for an “economic, technical or organisational” (ETO) reason.”</p> <p>The Unitary Council formed in April 2023. The Financial Emergency was declared in November 2023.</p> <p><b>Question 1a</b> - Why did the council avoid announcing an ETO at the time of the financial emergency declaration (and before the previous S151 Officer departed)?</p> <p><b>Question 1b</b> - Is it related to differential terms and conditions of employment entering the merged organisation?</p>

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	<p><b>Response from Lead Member for Transformation, Human Resources and Localities,</b> <b>Response from Lead Officers Sara Cretney and Alyn Jones</b></p>
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