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## **Report of the Chief Executive Settlement Sum Requiring Full Council Approval under the Council's Constitution and Pay Policy Statement**

Executive Member(s): Councillor Bill Revans, Leader of the Council

Local Member(s) and Division: N/a

Lead Officer: Duncan Sharkey, Chief Executive and Head of Paid Service

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### **1. Summary**

**1.1** The purpose of this report is to seek approval to a settlement sum as part of implementing the Council's organisation restructure.

**1.2** Appendix A sets out the case and supporting information for Full Council. Appendix A contains exempt information as set out in the Local Government Act 1972, Schedule 12A and therefore Full Council is recommended to treat Appendix A in confidence as it contains information relating to individual, information which is likely to reveal the identity of any individual and information relating to the financial and business affairs of any particular person (including the authority holding that information). The case for maintaining the exemption outweighs the public interests in disclosing that information.

There is a requirement for Full Council to approve any proposed financial settlement for an officer leaving the Council that exceeds £100,000, as required under s40 of the Localism Act, 2011 and the Council's Constitution.

### **2. Recommendations**

- 2.1** **It is recommended that the Council agrees:**
- i) The case for applying exemption information provisions as set out in the Local Government Act 1972, Schedule 12A and therefore treat the attached confidential Appendix A (the main report) in confidence, as it contains information relating to any individual, information which is likely to reveal the identity of any individual and information relating to the financial and business affairs of any particular person (including the authority holding that information), and as the**

**case for the public interest in maintaining the exemption outweighs the public interest in disclosing that information.**

- ii) To pass a resolution to exclude the press and public from the meeting where there is any debate or discussion regarding exempt information in Appendix A**
- iii) The recommendations as set out in Appendix A.**

### **3. Implications**

#### **3.1 Financial Implications**

**3.1.1** As set out in Appendix A.

#### **3.2 Legal Implications**

**3.2.1** As set out in Appendix A. Full consideration has been given to policy, governance and employment law considerations relating to the proposal in Appendix A and follows discussion with Somerset Council's legal advisors and HR, Finance, and Governance colleagues.

There is a requirement for Full Council to approve any proposed financial settlement for an officer leaving the Council that exceeds £100,000, as required under s40 of the Localism Act, 2011 and the Council's Constitution.

#### **3.3 Equalities Implications**

**3.1** See Appendix A.

### **4. Background Papers**

4.1 Localism Act 2011

4.2 Somerset Council's Constitution – Part 15 Officer Employment Rules

4.3 Reports to Executive (7 February 2024 and 8 April 2024) and Scrutiny Committee Corporate and Resources (7 March 2024) – Developing the approach to Transformation - Future Council.

4.4 Report to Full Council 22 May 2024 – Somerset Council Redundancies Arising from Voluntary Redundancy Scheme.