

Somerset Council Redundancies Arising from Implementation of the Senior Leadership Structure

Executive Member: Cllr Bill Revans, Leader of the Council

Local Member(s) and Division: Not applicable

Lead Officer: Duncan Sharkey, Chief Executive

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1. Summary

1.1. The purpose of this report is to present details of proposed dismissals on account of redundancy in relation to the creation of Somerset Council and the appointments to its Senior Leadership Team. It provides recommendations on the role of Full Council in relation to these dismissals and requests the necessary delegation to the Somerset Council Chief Executive to finalise details of the payments associated with the redundancies, in line with appropriate legislation and policies.

Following consultation on the structure of the leadership team and potential redundancies, and subsequent recruitment processes to the leadership team for the council, 29 members of staff no longer have a permanent role with the council.

Collectively these officers represent 630 years of public service, a median average of 22 years each.

Appendix B presents the cost of the redundancies to the council. All payments are in accordance with statutory and contractual obligations. The Appendix also splits out the costs to the authority and the payment received by the officer.

1.2. Creation of a single unitary authority for Somerset

On 21 July 2021 the Secretary of State for Housing, Communities and Local Government announced his decision to implement a single unitary council covering the whole of the administrative county of Somerset. This decision enabled implementation of the One Somerset Business case submitted on 30 July 2020.

On 18 March 2022 the Secretary of State made the Somerset (Structural Changes) Order 2022 (SCO). The SCO formalised the decision to implement the business case and set out the legal framework for implementation.

- 1.3.** The programme to achieve this outcome had the following objectives:
- Create a new unitary Council for Somerset that delivers the approved business case on 1 April 2023.
 - Enable performance capability – to deliver the approved business case vision on 1 April 2023.
 - Develop the new council to optimise benefits and opportunities from 1st April 2023 to 31st March 2025.
- 1.4.** Somerset Council was established on 1 April 2023, with the four District Councils abolished and their functions transferring to Somerset County Council, as the continuing authority.
- 1.5.** Upon the establishment of Somerset Council, staff at the four district councils employed immediately before the transfer became Somerset Council employees on 1 April 2023; in the case of local government reorganisation, this is confirmed in Regulation 3 of the Local Government (Structural and Boundary Changes) (Staffing) Regulations 2008.
- 1.6.** **Savings through implementation of a new leadership structure for Somerset Council**

The move to a single council provides scope to drive many efficiencies and improvements in the provision of public services and provide simpler routes of access to public services in Somerset. One of the efficiencies will be to make ongoing savings in the operation of council services.

The One Somerset Business Case (Appendix A) details proposed annual savings (£18.5m) from the implementation of local government reorganisation (LGR) in Somerset, once investment to deliver the new council has been recouped. Appendix E of the Business Case proposed savings of £2,877,000 through reduction in senior management posts. £2,650,000 of this saving was anticipated through the reduction of tiers 1 to 3 posts (Chief Executive, Executive Directors, Service Directors).

The new tier 1 to 3 senior management structure, delivered for Vesting Day has anticipated savings of £2.6m. The next phase of restructuring, following the appointment of Executive and Service Directors, will release further savings as anticipated in the Business Case.

The cost of redundancies is calculated to be £5.2m and will be funded from the LGR implementation budget.

1.7. Creation of the new senior management structure (tiers 1 – 3) for Somerset Council

The process to appoint a chief executive for the new council was completed in July 2022, with the appointment of Duncan Sharkey to Somerset County Council (as the continuing authority designated to become Somerset’s unitary local authority).

1.8. A consultation on the proposed new structure at tiers 2 (Executive Director) and 3 (Service Director) and pre-transfer collective redundancy consultations, across the four district councils and the County Council, took place from 10 November 2022 to 12 December 2022. This consultation covered:

- The proposed structure for the top 3 tiers of Somerset Council and the process to recruit to the posts at tiers 2 and 3.
- Proposed redundancies that will be made post Vesting Day by Somerset Council, as a result of tier 2 and 3 restructuring.

1.9. Subsequent to conclusion of that consultation, the programme completed the appointment of the Executive Director and Service Director leadership teams to the new Council (except for the Service Director Strategy and Performance and pending the approval of the delegation of relevant authority to the appointed Monitoring Officer at the meeting of Full Council on 24 May 2023).

This process, filling all but one of the senior management team from internal applicants, has allowed the council to create a skilled and experienced senior management team while limiting the number of individuals at risk of redundancy.

1.10. Realising savings through reduction in senior management posts

The Local Authorities (Standing Orders) (England) Regulations 2001 state that the dismissal of a member of staff of the authority must be discharged by the Head of Paid Service.

This does not apply to the dismissal of the Head of Paid Service, statutory chief officer, non-statutory chief officer, or deputy chief officer. Somerset Council’s constitution sets out that the decision maker for dismissals on the grounds of redundancy for those officers is the Special Members Panel, subject to the executive objections process and the requirement for full council to approve any financial settlement exceeding £100,000. The Panel can only recommend the dismissal of the Head of Paid Service, Section 151 Officer and Monitoring Officer, with the actual decision taken by Full Council.

1.11. Special Members Panel

The role of the Panel is to meet as a Committee of the Council to endorse the proposed dismissal of a chief officer or deputy chief officer on the grounds of redundancy, together with the associated redundancy payment. If the

proposal includes the dismissal of a head of paid service, a section 151 officer or a monitoring officer, then the Panel can only recommend the dismissal to a full meeting of Council, with the decision then taken by Full Council.

There is also a requirement for Full Council to approve any financial settlement more than £100,000, as required under s40 of the Localism Act, 2011 and the Council's Constitution.

In response to the requirements laid out above and in the Council Constitution, a Special Members Panel met on 10 May 2023 and made recommendations to Council as stated in section 2.1 of this report.

- 1.12.** The report to the Special Members Panel and background papers are available in Appendix B of this report.

2. Recommendations

2.1. In response to the Special Members Panel report "Somerset Council Redundancies Arising from Implementation of the Senior Leadership Structure" (Appendix B) considered by the Special Members Panel on 10 May 2023 recommendations of 10 May 2023, Council is requested to:

- 2.1.1** Approve the recommendations of the Special Members Panel, in respect of the proposed dismissals on account of redundancy of current and former chief/deputy chief officer posts and associated costs set out in section 9.3 of Appendix B to this report.
- 2.1.2** Approve the severance costs for posts as set out in section 8.2 of Appendix B, where Full Council approval is required for costs that exceed £100,000.
- 2.1.3** Note the decisions of the Special Members Panel, in respect of dismissals on account of redundancy for posts that are not included in 2.1.1 - 2.1.2, above.
- 2.1.4** Delegate authority to the Chief Executive to agree the final date of dismissal and the final redundancy packages, noting that such settlements will not exceed contractual redundancy pay, the payment required under statute to the Local Government Pension Scheme, or the requirement for Full Council approval for any severance payment that exceeds £100,000.

3. Summary of the redundancy process and considerations

- 3.1.** Full consideration has been given to policy, governance and employment law considerations relating to the redundancy process and follows discussion with Somerset Council's legal advisors and HR, Legal and Governance colleagues.

- 3.2.** An employee who is made redundant:
- Must be given notice of the termination of their employment and must be paid for their notice period.
 - Must be paid a redundancy payment in line with statutory entitlement and any contractual entitlement.
 - Must be paid any accrued holiday pay due to them as at the termination date; and:
 - If they are age 55 or over, their LGPS pension becomes payable, and the Council is required to pay any pension strain so that the employee takes the pension free of any actuarial reduction.

- 3.3.** Additional information on the redundancy process, principles, constitutional, legal and statutory considerations are laid out in the Appendix Four of the Special Members Report dated 10 May 2023 (Appendix B to this report).

Detail regarding statutory redundancy calculations and continuous service, and the Local Government Pension Scheme are laid out in sections 10 and 11 of the report.

Financial and equalities implications are laid out in section 12 of the report.

- 3.4.** Subject to Full Council approval of the recommendations in this report, the timescales for implementing the next and final stages of the redundancy process are:
- **Week commencing 29 May 2023:** Notice of redundancy served, following decisions at Full Council meeting. Staff advised of right of appeal.
 - **Week commencing 28 August at the latest:** Dismissals on grounds of redundancy become effective, dependent on contractual notice periods and pending appeals or executive objections.

4. Background papers

Appendix A: One Somerset Business Case

<https://newsomersetcouncil.org.uk/wp-content/uploads/2020/07/OneSomersetBusinessCase.pdf>

Appendix B: Special Members Panel report dated 10 May 2023

Appendix C: Minutes of Special Members Panel on 10 May 2023

Appendix D: Somerset Council Constitution relating to Special Members Panel (Part I5 – Officer Employment Procedures / Arrangement, section 3):

<https://democracy.somerset.gov.uk/documents/s181/Part%20I5%20-%20Officer%20Employment%20Procedure%20Rules.pdf>

Note: For sight of individual background papers please contact the report author(s)

Appendix A

One Somerset Business Case

Available at:

<https://newsomersetcouncil.org.uk/wpcontent/uploads/2020/07/OneSomersetBusinessCase.pdf>

Appendix B – Special Members Panel Report

Somerset Council

Special Members Panel

– 10th May 2023

Somerset Council Redundancies Arising from Implementation of the Senior Leadership Structure

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Somerset Council Redundancies Arising from Implementation of the Senior Leadership Structure

Lead Member: Cllr Bill Revans

Division and Local Member: n/a

Lead Officer: Duncan Sharkey

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1. Summary

- 1.1.** Somerset Council was established on 1st April 2023, with the four District Councils abolished and their functions transferring to Somerset County Council, as the continuing authority. The programme to achieve this merger has the following objectives:

 - Create a new unitary Council for Somerset that delivers the approved business case on 1 April 2023.
 - Enable performance capability – to deliver the approved business case vision on 1 April 2023.
 - Develop the new council to optimise benefits and opportunities from 1st April 2023 to 31st March 2025.
- 1.2.** On 18 March 2022 the Secretary of State made the Somerset (Structural Changes) Order 2022 (SCO). The SCO formalises the decision to implement local government reorganisation in Somerset and sets out the legal framework for implementation. Staff at the four district councils employed immediately before the transfer became Somerset Council employees on 1 April 2023; in the case of local government reorganisation, this is confirmed in Regulation 3 of the Local Government (Structural and Boundary Changes) (Staffing) Regulations 2008.
- 1.3.** The process to appoint a chief executive for the new council was completed in July 2022, with the appointment of Duncan Sharkey to Somerset County Council (as the continuing authority designated to become Somerset's unitary local authority). The programme has completed the appointment of the Executive Director and Service Director leadership teams to the new Council (pending the approval of the delegation of relevant authority to the appointed Monitoring Officer at the meeting of Full Council on 24th May).

- 1.4.** A consultation on the proposed new structure at Tiers 2 and 3 and pre-transfer collective redundancy consultations, across the four district councils and the County Council, took place from 10th November 2022 to 12th December 2022. This consultation covered:
- The proposed structure for the top 3 tiers of Somerset Council and the process to recruit to the posts at tiers 2 and 3.
 - Proposed redundancies that will be made post Vesting Day by Somerset Council, as a result of Tiers 2 & 3 restructuring.
- 1.5.** Processes to appoint to Executive Director ('Tier 2') posts in Somerset Council were completed in January 2023 and were endorsed by a meeting of Full Council on 22nd February 2023.
- 1.6.** Processes to appoint to Service Director ('Tier 3') posts in Somerset Council were completed in March 2023.
- 1.7.** As a result of the implementation of the leadership structure for Somerset Council, 29 posts have been placed at risk of redundancy. These posts do not exist in the new Somerset Council structure at Tiers 1, 2 and 3 and the individual post holders have so far not been successful in obtaining suitable alternative employment.
- 1.8.** The full responsibilities of the Special Members' Panel are contained in the Constitution and for ease of reference are set out in full in Appendix One of the supporting papers. In summary the role of the Panel is to meet as a Committee of the Council to endorse the proposed dismissal of a chief officer or deputy chief officer on the grounds of redundancy, together with the associated redundancy payment. If the proposal includes the dismissal of a head of paid service, a section 151 officer or a monitoring officer, then the Panel can only recommend the dismissal to a full meeting of Council, with the decision then taken by Full Council.
- There is also a requirement for Full Council to approve any financial settlement more than £100,000, as required under s40 of the Localism Act, 2011 and the Council's Constitution.
- 1.9.** The Panel's key tasks in this matter revolve around considering detailed and highly confidential information on behalf of the Council and coming to considered conclusions. When presenting reports to the Council, the Panel must present enough information to enable the Council to endorse its conclusions but without compromising the Council's statutory role as the decision maker in relation to any question of dismissal.
- 1.10.** The Panel is asked to note that the Constitution entitles the officer who is the subject of the recommendation to appear before the Panel and make

representations prior to any decision being taken. Employment law also requires that the employee is given the right to appeal against the Panel's decision.

2. Recommendations

2.1 The Panel is required to:

- (a) Determine, having considered employee representations, whether those postholders (of the posts detailed in section 8.1 below) who have not been appointed to suitable alternative employment at the date of the Panel meeting should be dismissed by reason of redundancy, with the exception of the posts set out in section 9.3, where the role of the Panel is to make a recommendation in relation to dismissal by reason of redundancy (if appropriate having considered employee representations) to Full Council.
- (b) Agree the costs of any redundancies as set out in Appendix Two, with the exception of the posts where the severance cost exceeds £100,000 per post and must therefore be approved at a meeting of Full Council (section 8.2, below):
- (c) Subject to (a) and (b) above, recommend the Council to:
 - (i) Agree the proposed dismissals and the associated costs set out in Appendix Two.
 - (ii) Delegate authority to the Chief Executive to agree the final date of dismissal and the final redundancy packages, noting that such settlements will not exceed contractual redundancy pay, the payment required under statute to the Local Government Pension Scheme, or the requirement for Full Council approval for any severance payment that exceeds £100,000.

3. Legal Requirements

- 3.1** The merger of one or more organisations into another will result in the transfer of staff under relevant legislation ('Transfer of Undertakings, Protection of Employment' – TUPE). In the case of local government reorganisation, this is confirmed in Regulation 3 of the Local Government (Structural and Boundary Changes) (Staffing) Regulations 2008.

The implication of this is that staff from Mendip District Council, Sedgemoor District Council, Somerset West & Taunton District Council and South Somerset District Council transferred into Somerset Council on 1st April 2023, with their terms & conditions and contractual entitlements protected under TUPE legislation.

An employee who is made redundant:

- must be given notice of the termination of their employment and must be paid for their notice period;
- must be paid a redundancy payment in line with statutory entitlement and any contractual entitlement;
- must be paid any accrued holiday pay due to them as at the termination date; and
- if they are age 55 or over, their LGPS pension becomes payable, and the Council is required to pay any pension strain so that the employee takes the pension free of any actuarial reduction.

3.2 Processes have been written in partnership with legal advisors and include observance of the following legislation and local policies:

- Local redundancy policies.
- Relevant employment legislation (e.g. Employment Rights Act).
- The Local Authorities (Standing Orders) (England) Regulations.
- TUPE Regulations.
- Local Government Staffing Regulations.
- Somerset Structural Changes Order 2022.
- Localism Act 2011.
- Relevant local authority constitutions.

4. Constitutional Requirements

4.1. The Local Authorities (Standing Orders) (England) Regulations 2001 state that the dismissal of a member of staff of the authority must be discharged by the head of paid service. But this does not apply to the dismissal of the head of paid service, statutory chief officer, non-statutory chief officer, or deputy chief officer.

4.2. Somerset Council's constitution sets out that the decision maker for dismissals on the grounds of redundancy for such officers is the special members panel, subject to the executive objections process and the requirement for full council to approve any financial settlement exceeding £100,000. The panel can only recommend the dismissal of the head of paid service, S151 and MO, with the actual decision taken by full council.

4.3. The implications of the above 2 points are:

- Somerset Council staff are dismissed by:
- The Head of Paid Service
- Or where they hold a chief officer or deputy chief officer post, a special members' panel.

- Or, if the Head of Paid Service, MO or s151 officer, a meeting of the full council.
- Staff who transferred into Somerset Council under TUPE do not transfer into the chief/deputy chief officer posts that they previously held in the districts. They are therefore not chief officers of the continuing authority and therefore from a governance perspective, can be dismissed by the Head of Paid Service. However, due to the potential impact of TUPE, the panel is asked to treat these dismissals as if the affected staff were still in chief/deputy chief officer posts.

5. Business Case & Minimising Redundancies

- 5.1.** The One Somerset Business Case details the proposed savings (£18.5m) from the implementation of local government reorganisation in Somerset. The reduction in senior management posts, following the merger of the five local authorities, was stated as £2,650,000 (Appendix E, One Somerset Business Case).

The anticipated saving from redundancies arising from the implementation of the leadership structure for Somerset Council is £2.6m.

The next phase of restructuring, following the appointment of Executive and Service Directors, will release further savings.

- 5.2.** The One Somerset Business Case was approved at a meeting of Full Council on 29th July 2020 and the implementation plan noted at the meeting of the Executive on 15th June 2022.

- 5.3.** The consultation with staff and trade unions presented 48 posts that had been identified as potentially at-risk of redundancy, due to the proposal for the new Council Leadership Team.

- 5.4.** Recruitment to the four Executive Director and 14 Service Director posts (that were within the scope of this restructure) was completed through internal appointments in the first instance. Seventeen staff from the five Somerset local authorities were successful in securing positions, with one post (Service Director, Strategy & Performance) now advertised externally.

This approach has resulted in significantly reduced redundancies and redundancy costs for the new authority.

- 5.5.** There are therefore 29 staff who are at-risk of redundancy as a result of the implementation of the Somerset Council Leadership Structure.

6. Leadership Structure of Somerset Council

- 6.1.** In November 2022, the Chief Executive proposed a structure for Tiers 2 & 3 in Somerset Council, with a list of functions by each Executive Director. This proposal was agreed with the Leader of the Council and the Executive. The proposal was subsequently consulted on with staff and trade unions, which included statutory redundancy collective consultation ahead of the transfer of staff to Somerset Council

The paper supporting this consultation can be seen in Appendix Three.

7. Redundancy Process and Considerations

- 7.1.** Full consideration has been given to policy, governance and employment law considerations relating to the redundancy process and follows discussion with Somerset Council's legal advisors and HR, Legal and Governance colleagues.

- 7.2.** The following principles have been used to support these processes:

- These processes describe dismissals on account of redundancy (voluntary and compulsory). The immediate focus is for redundancies arising from the implementation of the Somerset Council Tiers 1 – 3 structures, however these principles and processes may also be used for subsequent restructures.
- Staff who are being made redundant will work their notice period, except for:
 - o Mutual agreement that a shorter period of notice is served.
 - o Extenuating circumstances.
- Where notice is not worked in part or in whole for such reasons, then payment will be made in lieu of notice not worked.
- There will be no payments proposed over and above contractual redundancy terms. Individuals made redundant will simply receive their contractual entitlements. If an individual is asked not to work all or part of their notice, then payment will be made in lieu of notice not worked and this may or may not be provided for in an individual's contract of employment.
- Where entitlements differ between voluntary and compulsory redundancies, the higher of the two will apply.
- Where a role ceases to exist immediately post-transfer, a conversation will take place to ensure that the skills of an individual can be used in a 'project' capacity, to help the transition to the new Council.
 - o Projects will be at a level commensurate with the status of the displaced employee.
- No one has been placed at risk of redundancy prior to 1st April 2023.

- Individual consultation will take place with all at risk staff and careful consideration will be given to all representations made through this consultation before any final decisions are made.
- There will be ongoing consideration as to whether there are any suitable alternative employment options and at risk employees will be able to apply for vacant posts right up to the date that notice of the termination of their employment expires.
 - Staff will be treated in line with their contractual redundancy policies and relevant terms & conditions of employment.

7.3. The paper that was written to present the redundancy process and considerations can be seen in Appendix Four.

7.4. The timeline for the redundancy process is as follows:

Date	Action	Comment
w/c 6 th March	Duncan Sharkey to talk with impacted district chief executives	
w/c 13 th March	<ul style="list-style-type: none"> - Write to all staff in posts that are potentially at-risk of redundancy, to explain the process that will be followed from April - Write to staff reps to inform them of the process 	This will prepare staff for communications and events
<i>13th - 24th March</i>	<i>Tier 3 appointments processes</i>	
1 st April	Transfer of district staff to Somerset Council	
w/c 10 th April	<p>Write to affected staff, to place at risk of redundancy:</p> <ul style="list-style-type: none"> - Individual redundancy consultation - Individual meetings, led by relevant Exec Director accompanied by HR Business Partner/HR Strategic Manager. - Chief Exec meetings led by Duncan - There will be ongoing consideration of suitable alternative employment options and those at risk will be able to apply for any vacant posts. 	28-day period for personal consultation

w/c 10 th April	Confirm redundancy estimates	
w/c 10 th April	Appoint Special Members Panel	
w/c 8 th May	Personal consultation period ends	
w/c 8 th May	Special Members' Panel	<ul style="list-style-type: none"> - To consider proposals to dismiss chief officers & deputy chief officers - To recommend decisions regarding any proposal to dismiss s151 or MO - To include officers from district organisations, who were in the above categories within predecessor organisations - Committee meeting, so publicly advertised
w/c 15 th May	Executive Objections Process	
w/c 15 th May	Papers prepared for Full Council	
24 th May	Full Council meeting	<ul style="list-style-type: none"> - To consider proposals to dismiss HOPS, S151, MO (on recommendation of Special Members Panel). - To approve severance payments for any employee where the payment (to include

		redundancy, pay in lieu, holiday pay and pension costs) is £100k or more.
w/c 29 th May	Notice of redundancy served, following decisions at Full Council meeting. Staff advised of right of appeal.	
w/c 28 th August (at the latest)	Dismissals on grounds of redundancy become effective. - Pending appeals or executive objections	Dependent on contractual notice periods.

8. Redundant Posts

- 8.1. The following posts are at-risk of redundancy, following the implementation of the leadership structure for Somerset Council:

Organisation	Post
Mendip District Council	Deputy Chief Executive
Mendip District Council	Chief Executive
Mendip District Council	Head of Service Community Health
Mendip District Council	Head of Service Planning & Growth
Mendip District Council	Head of Service Neighbourhoods
Mendip District Council	Head of Service Housing
Somerset County Council	Head of Legal Services (County Solicitor)
Somerset County Council	Economic & Community Infrastructure Commissioning Director
Somerset County Council	Lead Director for Economic, Community & Infrastructure & Director of Commissioning & Deputy Chief Executive
Somerset County Council	Governance & Democratic Services (Monitoring Officer)
Sedgemoor District Council	Chief Executive
Sedgemoor District Council	Assistant Director Environment & Regulation
Sedgemoor District Council	Deputy Chief Executive
Sedgemoor District Council	Chief Information Officer

Sedgemoor District Council	Assistant Director Customer Access
Sedgemoor District Council	Assistant Director Housing, Health & Wellbeing
Sedgemoor District Council	Assistant Director Inward Investment & Growth
Sedgemoor District Council	Strategic Director & S151 Officer
South Somerset District Council	Director - Place, Recovery & Arts & Entertainment
South Somerset District Council	District Solicitor and Monitoring Officer
Somerset West & Taunton District Council	Assistant Director Customer
Somerset West & Taunton District Council	Deputy Chief Executive and Director of Housing and Communities
Somerset West & Taunton District Council	Deputy Chief Executive and Director of Internal Operations
Somerset West & Taunton District Council	Chief Executive
Somerset West & Taunton District Council	Assistant Director Commercial Services
Somerset West & Taunton District Council	Assistant Director Climate Change & Assets
Somerset West & Taunton District Council	Assistant Director Finance & S151 Officer
Somerset West & Taunton District Council	Governance Manager
Somerset West & Taunton District Council	Assistant Director Corporate

8.2. The following posts, if the post-holder is made redundant, will incur a severance payment in excess of £100,000 and, as per the Constitution of Somerset Council and as required by the Localism Act 2011, these packages must be approved at a meeting of Full Council.

Legacy Council	Current Post Name (job Title)
SDC	Chief Executive
SCC	Lead Director ECI/Director Commissioning
SDC	AD Environment & Regulation
MDC	Deputy Chief Executive
MDC	Group Manager - Community Health Services
MDC	Chief Executive
SDC	Deputy Chief Executive
SWT	Assistant Director - Customer

SDC	E-Government Advisor
SDC	AD Customer Access Strategy
SDC	Strategic Director & Section 151
SCC	ECI Commissioning Director
SDC	AD Housing, Health & Wellbeing
MDC	Group Manager Planning & Growth Services
SWT	Director Housing
SDC	AD Inward Investment & Growth
MDC	Assistant Chief Executive
SSDC	Director - Place & Recovery

8.3. The costs of redundancies can be seen in Appendix Two.

9. Statutory Officers

9.1. The Special Members Panel is required to make a recommendation on a dismissal to Full Council, where the post is a statutory chief or deputy chief officer. This applies to the posts and functions of Head of Paid Service, Section 151 Officer and Monitoring Officer.

9.2. As described in section 4.3, staff who transferred into Somerset Council under TUPE do not transfer into the chief/deputy chief officer posts that they previously held in the districts. They are therefore not chief officers of the continuing authority and therefore from a governance perspective, can be dismissed by the Head of Paid Service. However, due to the potential impact of TUPE, the panel is asked to treat these dismissals as if the affected staff were still in chief/deputy chief officer posts.

9.3. These posts include the following:

Table 1 - Statutory Posts

Organisation	Post
Mendip District Council	Chief Executive
Somerset County Council	Governance & Democratic Services (Monitoring Officer)
Sedgemoor District Council	Chief Executive
Sedgemoor District Council	Strategic Director & S151 Officer
South Somerset District Council	District Solicitor and Monitoring Officer
Somerset West & Taunton District Council	Chief Executive
Somerset West & Taunton District Council	Assistant Director Finance & S151 Officer

Somerset West & Taunton District Council	Governance Manager
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9.4. The Special Members Panel is therefore asked make recommendations to Full Council on the dismissal of the officers in Table 1, above, on the grounds of redundancy.

10. Redundancy Calculations

The five legacy organisations all had different arrangements for the calculation of redundancy payments. These redundancy schemes are contractual and, for staff employed by Mendip District Council, Sedgemoor District Council, Somerset West & Taunton District Council, and South Somerset District Council, protected under TUPE.

An extract of each Council's policy is given below, as impacts redundancy payments (which include the required statutory redundancy payment).

10.1. Mendip District Council

The council exercises discretion under the Local Government (Early Termination of Employment) (Discretionary Compensation) Regulations 2006, to make compensatory payments to employees being made compulsorily redundant based on a multiplier of three times the number of weeks an employee would be entitled to under the statutory redundancy formula, inclusive of any statutory redundancy payment, up to a maximum of 90 weeks' pay.

10.2 Sedgemoor District Council

The Council operates a discretionary enhanced redundancy payment scheme for compensation for loss of employment on redundancy grounds.

The Council will pay a lump sum using the statutory redundancy table and applying a multiplier of three times the statutory redundancy figure based on actual weeks' pay up to a maximum of 90 weeks.

10.3 South Somerset District Council

The Council exercises its discretion under the Local Government (Early Termination of Employment) (Discretionary Compensation) Regulations 2006 to make compensatory redundancy payments to employees being made redundant using a multiplier of 2.5 times the number of weeks an employee would be entitled to under the statutory redundancy formula in cases of compulsory and voluntary redundancy.

10.4 Somerset West and Taunton District Council

The Council exercises discretion under the Local Government (Early Termination of Employment) (Discretionary Compensation) Regulations 2006

to make compensatory redundancy payments to employees being made redundant based on a multiplier of one and a half times the number of weeks an employee would be entitled to under the statutory redundancy formula, inclusive of any statutory payment, up to a maximum of 45 weeks' pay.

10.5 Somerset County Council

The compensation payments for those whose employment is terminated on the grounds of compulsory redundancy is up to the statutory maximum, calculated as follows:

Actual weekly salary up to the statutory maximum weekly pay multiplied by the number of weeks entitlement under the statutory redundancy formula.

For Voluntary Redundancies, the Authority has exercised its discretion to make payments on an actual week's salary, as opposed to the current statutory maximum.

10.6 Statutory Redundancy Payments

Under the Employment Rights Act 1996, redundancy payments are made to those who have two or more years of service, according to the following scale:

1. 1½ week's pay for each year of employment during which the employee was aged 41+.
2. 1 week's pay for each year of employment during which the employee was aged 22-40 inclusive.
3. ½ week's pay for each year of employment in which the employee was aged under 22.

Reckonable service is limited to the last 20 years before redundancy. The payment is therefore subject to an overall maximum of 30 weeks' pay, depending upon the number of years worked after and including the age of 41.

10.7 Continuous Service

For the purposes of redundancies in local authorities, 'Employment' is regarded as continuous local government service.

The qualifying service in respect of receipt of redundancy payments is two years continuous service regardless of hours worked.

11. Local Government Pension Scheme

If an employee is made redundant at the age of 55 or over, then their pension is paid to them immediately based on years of service and without any actuarial reduction. The associated costs of this are known as the 'Pension Strain' and fall to the employer to pay. The costs of this are presented in Appendix Two

and form part of the severance package that must be approved by Full Council if the total payment exceeds £100,000.

12.Implications

12.1. Financial Implications

The proposed redundancies represent a reduction of £2.6m in senior management costs; this figure matches the figure specified for leadership team costs in the business case.

The cost of the redundancies is £5m. This includes the following considerations:

- Statutory Redundancy Pay.
- Contractual Redundancy Pay.
- Any payments in lieu of notice, as agreed with the employee.
- Costs to the Local Government Pension Scheme if an individual is aged 55 or over at the point of redundancy (known as the 'pension strain', a payment made to the pension scheme and not to the individual)

Consideration of redundancy payments was included as part of the Local Government Reorganisation Programme.

12.2. Equalities

An equalities impact assessment has been completed for the consultation on the Tiers 2 & 3 Structure of Somerset Council and the redundancy consultation and no significant concerns were raised as a result. The assessment can be seen in Appendix Three.

13.Options

13.1. All employees who are at-risk of redundancy have had the opportunity to apply for Executive and Service Director posts. Consideration has also been given to 'suitable alternative employment' and this will continue to be the case up to the notice period expiring for these employees.

Opportunities for continued employment with Somerset Council will be considered, as services restructure following the appointment of service directors.

13.2. Redundancy payments will be made based on contractual and statutory entitlements, with no enhancements or extra-contractual payments made. Should a decision be taken to unilaterally reduce or refuse a contractual payment, then the Council can expect to pay the contractual sum at a later date, following legal action.

Chris Squire, Service Director Workforce, 1st May 2023

Appendix One – Special Members Panel

Constitutional Requirements for the Special Members Panel:

3.3.1 Any proposal for a dismissal of the Chief Executive, the Section 151 Officer or the Monitoring Officer will be determined by the Council on the recommendation of the Independent Persons' (IPs) Panel comprising a minimum of 3 IPs selected to participate by the Chief Executive in accordance with the Local Authority (Standing Orders) (England) (Amendment) Regulations 2015. The IPs will be selected from a joint Somerset Councils' Panel of IPs. The Panel will be appointed by the Chief Executive (or the Head of HR where the Chief Executive is the subject of the proposed dismissal). The Panel shall be appointed a minimum of 20 days before the Council is due to meet to consider the dismissal.

3.3.2 A proposal for a dismissal of an officer specified in 1.2(d)-(j) will be determined by the Council on the recommendation of a special Panel of 6 Members appointed by the Leader of the Council (or their nominated representative) and comprising:-

- (a) The Leader of the Council (or their nominated representative)
- (b) The Leader of the largest opposition group (or their nominated representative)
- (c) 4 other Members of the Council selected by the Leader of the Council in consultation with the other Group Leaders and in accordance with the rules of political proportionality.

3.3.3 Any question of dismissal on the grounds of redundancy (including voluntary), permanent ill-health or infirmity of mind or body in relation to a Chief Officer shall be determined by the Special Members' Panel appointed as specified above with the exception detailed in below.

3.3.4 The exception is where a proposed financial settlement for an officer leaving the Council exceeds £100,000. In these circumstances only Full Council can agree the financial settlement.

The relevant part of the constitution can be viewed using this link: [Part 15 - Officer Employment Procedure Rules \(somerset.gov.uk\)](https://www.somerset.gov.uk/part-15-officer-employment-procedure-rules)

Appendix Two – Redundant Posts and Severance Payments

Please note that these are the latest calculations, based on conversations with affected staff and figures that have been received to date. These figures do not include an assumption for the 2023-24 pay award.

Legacy Council	Current Post Name (job Title)	Redundancy Est - Statutory	Redundancy Est - Enhancement	PILON	Employee payment (including PILON)	Employer's Pension Costs	Employer's NI and Superannuation Costs	Total Costs
MDC	Deputy Chief Executive	16,718	126,942	-	143,660	224,655	15,685	384,000
MDC	Chief Executive	19,290	185,502	-	204,792	116,899	24,121	345,813
MDC	Group Manager - Community Health Services	18,004	109,494	13,191	140,688	186,696	17,717	345,101
MDC	Assistant Chief Executive	10,931	64,202	19,786	94,919	-	12,622	107,541
MDC	Head of Housing Services	13,825	72,615	-	86,439	-	7,789	94,228
MDC	Group Manager Planning & Growth Services	3,858	20,265	-	24,123	93,732	-	117,855
SCC	Head of Legal Services - County Solicitor	19,290	28,384	-	47,674	2,469	2,439	52,582
SCC	ECI Commissioning Director	8,681	21,107	-	29,787	137,384	-	167,171
SCC	Lead Director ECI/Director Commissioning	18,326	55,299	-	73,625	359,212	6,020	438,857

Legacy Council	Current Post Name (job Title)	Redundancy Est - Statutory	Redundancy Est - Enhancement	PILON	Employee payment (including PILON)	Employer's Pension Costs	Employer's NI and Superannuation Costs	Total Costs
SCC	Strategic Manager Governance & Dem Srv	16,718	24,599	-	41,317	-	1,562	42,879
SDC	Deputy Chief Executive	19,290	179,978	-	199,268	104,477	23,359	327,104
SDC	Chief Executive	17,683	187,939	-	205,621	313,725	24,236	543,582
SDC	E-Government Advisor	18,969	105,819	5,656	130,443	109,258	14,901	254,603
SDC	AD Environment & Regulation	17,361	96,851	16,967	131,179	287,264	17,083	435,527
SDC	AD Housing, Health & wellbeing	19,290	107,613	-	126,903	7,783	13,373	148,058
SDC	AD Inward Investment & Growth	16,397	91,471	-	107,867	-	10,746	118,613
SDC	AD Customer Access Strategy	19,290	107,613	-	126,903	41,485	13,373	181,760
SDC	Strategic Director & Section 151	16,075	125,010	22,636	163,720	-	22,714	186,434
SSDC	Director - Place & Recovery	4,823	26,278	21,622	52,723	48,645	7,168	108,536
SSDC	District Solicitor & Monitoring Officer	1,929	10,511	21,622	34,062	27,515	7,016	68,594
SWT	Director Housing	16,397	64,246	25,369	106,012	-	15,299	121,311

Legacy Council	Current Post Name (job Title)	Redundancy Est - Statutory	Redundancy Est - Enhancement	PILON	Employee payment (including PILON)	Employer's Pension Costs	Employer's NI and Superannuation Costs	Total Costs
SWT	Assistant Director Finance (s151)	12,217	35,397	-	47,614	-	2,431	50,044
SWT	Director of Internal Operation	16,075	62,987	-	79,062	-	6,771	85,832
SWT	Assistant Director - Commercial Services	13,503	35,845	-	49,348	-	2,670	52,018
SWT	Chief Executive	9,645	45,933	9,908	65,486	-	6,792	72,278
SWT	Governance Manager	5,787	6,889	6,485	19,161	-	2,053	21,214
SWT	Assistant Director - Corporate Services	1,286	3,414	-	4,700	-	-	4,700
SWT	Assistant Director - Customer	18,326	48,647	-	66,973	205,488	5,102	277,562
SWT	Assistant Director - Climate Change and Regulatory Services	13,182	34,992	-	48,173	-	2,508	50,681
Overall Total		403,161	2,085,840	163,241	2,652,242	2,266,687	285,549	5,204,478

Appendix Three – Tiers 2 & 3 Restructure Consultation

The paper to support the consultation for the implementation of the Leadership Structure for Somerset Council and pre-transfer redundancy consultation can be seen in Appendix 3.

Appendix Four – Redundancy Process and Considerations

Redundancy Process and Considerations

Version: Final

**Authors: Chris Squire, Director of Customers, Digital & Workforce, Somerset
County Council**

Matthew Gregson & Claire Ward, Anthony Collins Solicitors

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1. Introduction

This paper presents the policy, governance and employment law considerations relating to the redundancy process for staff who are currently in posts at Tiers 1 to 3 in the five Somerset Local Authorities. It follows discussions with our legal advisors (Anthony Collins) and HR, legal and governance colleagues and includes consideration of the following (amongst others):

- Local redundancy policies
- Relevant employment legislation (e.g. Employment Rights Act)
- The Local Authorities (Standing Orders) (England) Regulations
- TUPE Regulations
- Local Government Staffing Regulations
- Somerset Structural Changes Order 2022
- Localism Act
- Relevant local authority constitutions

2. Principles

The following principles are proposed:

- These processes describe dismissals on account of redundancy (voluntary and compulsory). The immediate focus is for redundancies arising from the implementation of the Somerset Council Tiers 1 – 3 structure, however these principles and processes may also be used for subsequent restructures.
- Staff who are being made redundant will serve their notice period, except for:
 - o Mutual agreement that a shorter period of notice is served;
 - o Extenuating circumstances.
- There will be no payments over and above contractual redundancy terms.
- Where entitlements differ between voluntary and compulsory redundancies, the higher of the two will apply.
- Where a role ceases to exist immediately post-transfer, a conversation will take place to ensure that the skills of an individual can be used in a 'project' capacity, to help the transition to the new Council.
 - o Projects will be at a level commensurate with the status of the displaced employee.
- Staff will be treated in line with their contractual redundancy policies and relevant terms & conditions of employment.

3. Constitutional Considerations

3.1. The Local Authorities (Standing Orders) (England) Regulations 2001 state that the dismissal of a member of staff of the authority must be discharged by the head of

paid service. But this does not apply to the dismissal of the head of paid service, statutory chief officer, non-statutory chief officer, or deputy chief officer.

3.2. Somerset County Council constitution sets out that the decision maker for dismissals on the grounds of redundancy for such officers is the special members panel, subject to the executive objections process and the requirement for full council to approve any financial settlement exceeding £100,000. The panel can only recommend the dismissal of the head of paid service, S151 and MO, with the actual decision taken by full council.

3.3. The implications of the above 2 points are:

- Somerset County Council staff are dismissed by:
 - o The Head of Paid Service
 - o *Or where they hold a chief officer or deputy chief officer post, a special members panel*
 - o *Or if the Head of Paid Service, MO or s151 officer, a meeting of the full council.*

This process continues, in line with Somerset County Council acting as the continuing authority.

- Staff who TUPE into Somerset Council do not transfer into the chief/deputy chief officer posts that they held in the Districts. They are therefore not chief officers of the continuing authority and therefore from a governance perspective, can be dismissed by the Head of Paid Service.
 - o However, there may be an impact from TUPE (see below)

4. Suggested Approach

4.1. On 1st April 2023, those appointed to posts in Tiers 1 – 3 in Somerset Council will take up their new roles. There will then be a number of staff (across both the County and District authorities) who will have been displaced as a result of not being appointed to posts in tiers 1 – 3. All staff, at this point, will be employees of Somerset Council.

4.2. Those displaced staff will fall into 4 categories:

- 1. SCC staff in Chief Officer positions (i.e. Head of Paid Service, statutory chief officer, non-statutory chief officer, deputy chief officer).
- 2. SCC staff not in chief officer positions.
- 3. District staff who prior to 1st April were in chief officer posts in their district.
- 4. District staff who prior to 1st April were not in chief officer posts in their district.

There is perhaps a 5th category to add, where the cost of a dismissal exceeds £100k and the amount has to be approved at a meeting of the full council.

4.3. In respect of staff that transfer into Somerset Council, from the districts, we need to be mindful of our obligations under TUPE; we therefore ‘step into the shoes’ of the previous district council employer.

4.4. In terms of the dismissal process, the following steps will need to be taken in respect of staff in any of the four categories, above (4.2)

- i) The displaced staff will need to be formally placed at risk of redundancy
- ii) There will then need to be individual consultation with each of the displaced staff (to allow time to discuss potential alternative employment or other options). This should be a minimum of 28-days for staff covered by JNC Chief Officer terms & conditions (*note, this does not apply to all chief officers in the 5 organisations, but we may wish to consider using as a ‘standard’*)

Redundancy policies have been checked for any other specific minimum consultation periods.

- iii) Alternative employment options will need to be considered which will include any vacancies being drawn to the attention of displaced staff. This will include consideration of whether those displaced should be given the opportunity to apply for Tier 4 roles.
- iv) If no alternative employment options are identified, we move to dismissal.

5. Dismissal Processes

The decision-maker for dismissals and steps to achieve this are different within the four categories of displaced staff, as follows:

5.1. SCC Staff in Chief Officer Positions

The special member panel is the decision-maker in terms of dismissal, subject to the executive objections process. The exception is that the panel can only recommend the dismissal of the head of paid service, S151 and MO who can only be dismissed by full council. The JNC Chief Officer terms and conditions do give the displaced employee / their representative the right to make oral representations prior to a decision to dismiss being made.

Arrangements for the dismissal of SCC chief officers are set out in section 7.2. of the Constitution. The special member panel comprises the Leader of the Council (or nominated representative), Leader of the largest opposition group (or nominated representative), 4 other members of the council selected by the leader, in line with rule on political proportionality.

5.2. SCC Staff not in Chief Officer Positions

The Head of Paid Service is the decision-maker (although this may be delegated) and the steps to be taken are subject to whatever SCC’s redundancy policy / procedure / individual employees’ terms and conditions state.

5.3. District staff who prior to 1 April 2023 were in Chief Officer positions within their district

There are two potential options:

- i) The safest option, even though these individuals are not chief officers of the continuing authority, would be to set up a dismissal process that parallels the rights these individuals would have had had they been dismissed by the districts. This is on the basis that under TUPE, all duties transfer to the new Council.

The districts would have been under a duty to ensure that a special member panel was the decision maker in terms of dismissal, subject to the executive objections process, with the panel only being able to recommend the dismissal of the head of paid service, S151 and MO who would then be dismissed by full council).

Therefore, we could set up a parallel process for employees that fall into this category.

- ii) Take the approach that as individuals in this category are not chief officers of the continuing authority, the Head of Paid Service is the decision maker. Of course, we will need to consider any contractual obligations that transfer under TUPE.

The risk of taking approach (ii) is that the employee may argue that their dismissal is ineffective, and Somerset Council is in breach of contract. It may seem prudent, therefore, to present all proposals affecting current and former chief officers to the special members' panel (and this is unlikely to affect the timescale, in fact option (ii) may present a bigger risk to timings in the event that a former chief officer appeals against the process).

5.4. District staff who prior to 1st April 2023 were not in Chief Officer positions within their district.

The Head of Paid Service is the decision maker (although this can be delegated), with consideration given to relevant contractual redundancy policies and pay.

5.5. If the total payment (which could include pay, pay in lieu of notice, holiday pay, pension strain costs) to an affected employee exceeds £100k, then approval of the payment will need to be sought from Full Council (as per Guidance issued under the Localism Act) before notice can be served.

6. Appeals

A displaced employee served notice will need to be given the right to appeal against their dismissal:

- For displaced employees in category 1, this will be to the redundancy review panel. The same is the case if you follow the safer route with employees in category 3 (5.3, above).

- The right of appeals for displaced employees in category 2 will be as per Somerset Council's redundancy policy.
- The right of appeal for displaced employees in category 3 (if approach (ii) in 5.3 is chosen) and those in category 4 will be as per any relevant district contractual redundancy policy and terms and conditions.

7. Displaced Staff and Notice Periods

We have a principle that staff will work during their notice periods, however there are some considerations to make:

- A role may simply cease on transfer, such as district council chief executive or monitoring officer
- Other roles may continue for a while, as teams are merged
- Work will therefore need to be allocated on an individual basis
- Any work that is allocated will need to be appropriate to the level and status of the individual, and therefore 'reasonable'
- Once notice is served, there is 'no going back' unless through mutual agreement. We therefore cannot serve notice and then insist that someone stays beyond the length of their notice period. We can of course discuss and agree an alternative leaving date.
- We will need an element of flexibility in our approach. If we are asking someone to complete a certain project, this may not involve them working their full hours during their period of notice.
- We will need to be realistic and understanding in our approach, due to personal considerations and potential impact on the new organisation.
- We need to treat these situations with empathy; these are colleagues with many years of exemplary service in Somerset, who are facing dismissal through no fault of their own. As such, these are life-changing situations.

8. Timescale and Actions

The following is proposed:

Table 2 - Redundancy timeline for Tiers 1-3

Date	Action	Comment
w/c 20 th Feb	<ul style="list-style-type: none"> - Agree options described in this paper - Prepare the final version of the process 	This will give us a document that can be shared with staff and trade unions
w/c 6 th March	Duncan to talk with impacted chief executives	

w/c 13 th March	<ul style="list-style-type: none"> - Write to all staff in posts that are potentially at-risk of redundancy, to explain the process that will be followed from April - Write to staff reps to inform them of the process 	This will prepare staff for communications and events
13 th – 24 th March	<i>Tier 3 appointments processes</i>	
1 st April	Transfer of district staff to Somerset Council	Note that many staff will be on holiday over the following 2-weeks, due to Easter holidays
w/c 10 th April	<p>Write to affected staff, to place at risk of redundancy:</p> <ul style="list-style-type: none"> - Individual meetings, led by relevant Exec Director accompanied by HR Business Partner/HR Strategic Manager. - Chief Exec meetings led by Duncan 	- 28-day period for personal consultation
w/c 10 th April	Confirm redundancy estimates	
w/c 10 th April	Appoint Special Members Panel	
w/c 8 th May	Personal consultation period ends	8 th May is Coronation Bank Holiday
w/c 8 th May	Special Members' Panel	<ul style="list-style-type: none"> - To consider proposals to dismiss chief officers & deputy chief officers - To recommend decisions regarding any proposal to dismiss s151 or MO - To include officers from district organisations, who were in the above categories within predecessor organisations - Committee meeting, so publicly advertised
w/c 15 th May	Notice served for staff who are not chief officers or have severance packages <£100k	- Subject to relevant redundancy policy

	<ul style="list-style-type: none"> - Individual meetings, led by relevant Exec Director accompanied by HR Business Partner/HR Strategic Manager - Chief Exec meetings led by Duncan 	
w/c 15 th May	Papers prepared for Full Council	
24 th May	Full Council meeting	<ul style="list-style-type: none"> - to consider proposals to dismiss HOPS, S151, MO (on recommendation of Special Members Panel). - To approve severance payments for any employee where the payment (to include redundancy, pay in lieu, holiday pay and pension costs) is £100k or more.
25 th – 26 th May	Executive Objections process	
w/c 29 th May	Notice of redundancy served, following decisions at Full Council meeting. Staff advised of right of appeal.	29 th May is Spring Bank Holiday
w/c 28 th August (at the latest)	Dismissals on grounds of redundancy become effective <ul style="list-style-type: none"> - Pending appeals or executive objections 	Dependent on contractual notice periods.

Appendix C – Minutes of the Special Members Panel Held on 10th May 2023

SPECIAL MEMBERS PANEL

Minutes of a Meeting of the Special Members Panel held in the Luttrell Room, County Hall, Taunton, on Wednesday 10 May 2023 at 14.00pm.

Present: Cllr Mark Healey, Cllr Liz Leyshon, Cllr Bill Revans, Cllr Federica Smith-Roberts, Cllr Gill Slocombe and Cllr Ros Wyke

Mike Bryant (Governance Service Manager), Alyn Jones (Executive Director for Strategy, Workforce and Localities), Clare Rendell (Governance Specialist), Duncan Sharkey (Chief Executive), Chris Squire (Service Director for Workforce) and Jason Vaughan (Executive Director for Resources and Corporate Resources).

Attending virtually: Cllr Suria Aujla, Cllr Alan Bradford, Cllr Mandy Chilcott, Cllr Simon Coles, Cllr John Hunt, Cllr Val Keitch, Cllr Christine Lawrence, Cllr Leigh Redman and Cllr Sarah Wakefield.

Apologies for absence: Cllr Val Keitch, who is being substituted by Cllr Liz Leyshon

1. Appointment of Chair

Cllr Revans, Leader of the Council, having been proposed and seconded was unanimously elected as the Chair for the meeting.

2. Declarations of interests

The Members present confirmed that although some of them knew some of the applicants, they had no declarations to make having read the guidance notes regarding conflicts of interests provided by the Monitoring Officer. The Officers present also declared that although some of them knew some of the applicants, there were no conflicts of interest.

3. Public Question Time

There were no public questions.

4. Exclusion of Press and Public

The Committee unanimously agreed, having been proposed and seconded, that under Schedule 12A of the Local Government Act 1972 the press and public be excluded during the remainder of the meeting on the basis that if they were present during the business to be transacted there would be a likelihood of disclosure to them of exempt information of the following description:

- Information relating to any individual

· Information which is likely to reveal the identity of any individual.

5. Report from the Service Director of Workforce

The Service Director of Workforce presented key points from the confidential report, which included the process followed that led to the proposed twenty-nine posts to be made redundant.

During the debate the Committee raised the following points:-

Concern was raised on the term 'dismissal' used within the report. Officers explained that it was legal terminology.

Assurance was requested that the report made clear that it was the post being made redundant and not the person. Officers agreed that it was the post, however, the report detailed the redundancy packages each person would receive, which meant that the people would be mentioned in discussions.

The outcomes of the report were consequences of the Unitary Council business case.

Queries were raised on how the list was collated. Officers advised that the list was formed as part of the work of the Local Governance Reorganisation Workstreams and that the Chief Executives of each Council, along with other senior officers compiled the list. The feedback from the consultation was also used to collate information.

Concern was raised that not all the officers included in the list had been notified and queried what support was in place to assist officers throughout the process of the report being taken to Full Council. Officers advised that all the officers on the list had been advised and that the Council had a statutory and ethical obligation to ensure support mechanisms were in place throughout. They also confirmed that communications would be involved to ensure the correct information was given to the press and public. They also clarified that the figures within the report detailed the cost to the Council and were not the actual final payments that each officer would receive.

Clarification was requested on the impact the pay award might have on the redundancy figures along with the impact to the pension fund and requests were made to ensure that the figures were clearly explained in the report, as some of the current terminology was confusing, which might lead to false reporting.

Clarification was requested on whether the officers could apply for tier four roles. Officers explained the process to follow for those that might be interested in applying for a tier four role.

Queries were raised on the timescales that the other new Unitary Councils were working to. Officers explained that the other new Unitary Councils were not at the same stage that Somerset Council was and that they had followed very different procedures.

Councillors were sad to lose some experienced officers that had worked for the Councils for many years.

The Committee unanimously agreed to recommend for Full Council to approve the recommendations within the confidential report.

6. Minutes of the Meeting

The Committee unanimously agreed to authorise the Chair of the meeting to sign and authorise the minutes as being a true record of the meeting.

There being no other items the Chair thanked all those present, both in-person and remote, for attending and closed the meeting at 15.14pm

Cllr Revans, Leader of the Council

Date: 10 May 2023