



General Purposes Committee

Thursday 2 August 2018 at 5.30 pm

Board Room 4 - Brent Civic Centre, Engineers Way,
Wembley HA9 0FJ

Membership:

Members

Councillors:

M Butt (Chair)
McLennan (Vice-Chair)
Agha
Colwill
Farah
Hirani
Krupa Sheth
Tatler

Substitute Members

Councillors:

Aden, S Choudhary, Kabir, Knight, Miller, M Patel and
Southwood

Councillors:

Kansagra and Maurice

For further information contact: Nikolay Manov, Governance Officer
Tel: 020 8937 1348, Email: nikolay.manov@brent.gov.uk

For electronic copies of minutes, reports and agendas, and to be alerted when the minutes of this meeting have been published visit:

democracy.brent.gov.uk

The press and public are welcome to attend this meeting

Notes for Members - Declarations of Interest:

If a Member is aware they have a Disclosable Pecuniary Interest* in an item of business, they must declare its existence and nature at the start of the meeting or when it becomes apparent and must leave the room without participating in discussion of the item.

If a Member is aware they have a Personal Interest** in an item of business, they must declare its existence and nature at the start of the meeting or when it becomes apparent.

If the Personal Interest is also significant enough to affect your judgement of a public interest and either it affects a financial position or relates to a regulatory matter then after disclosing the interest to the meeting the Member must leave the room without participating in discussion of the item, except that they may first make representations, answer questions or give evidence relating to the matter, provided that the public are allowed to attend the meeting for those purposes.

***Disclosable Pecuniary Interests:**

- (a) **Employment, etc.** - Any employment, office, trade, profession or vocation carried on for profit gain.
- (b) **Sponsorship** - Any payment or other financial benefit in respect of expenses in carrying out duties as a member, or of election; including from a trade union.
- (c) **Contracts** - Any current contract for goods, services or works, between the Councillors or their partner (or a body in which one has a beneficial interest) and the council.
- (d) **Land** - Any beneficial interest in land which is within the council's area.
- (e) **Licences**- Any licence to occupy land in the council's area for a month or longer.
- (f) **Corporate tenancies** - Any tenancy between the council and a body in which the Councillor or their partner have a beneficial interest.
- (g) **Securities** - Any beneficial interest in securities of a body which has a place of business or land in the council's area, if the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body or of any one class of its issued share capital.

****Personal Interests:**

The business relates to or affects:

(a) Anybody of which you are a member or in a position of general control or management, and:

- To which you are appointed by the council;
- which exercises functions of a public nature;
- which is directed is to charitable purposes;
- whose principal purposes include the influence of public opinion or policy (including a political party of trade union).

(b) The interests a of a person from whom you have received gifts or hospitality of at least £50 as a member in the municipal year;

or

A decision in relation to that business might reasonably be regarded as affecting the well-being or financial position of:

- You yourself;
- a member of your family or your friend or any person with whom you have a close association or any person or body who is the subject of a registrable personal interest.

Agenda

Item	Page
1 Apologies for absence and clarification of alternate members	
2 Declarations of interests	
Members are invited to declare at this stage of the meeting, the nature and existence of any relevant disclosable pecuniary or personal interests in the items on this agenda and to specify the item(s) to which they relate.	
3 Deputations (if any)	
To hear any deputations received from members of the public in accordance with Standing Order 67.	
4 Minutes of the previous meeting	1 - 4
To approve the minutes of the previous meeting held on Tuesday 17 July 2018 as a correct record.	
5 Matters arising (if any)	
To consider any matters arising from the minutes of the previous meeting.	
6 Voluntary Redundancy Policy	5 - 16
To receive a report from the Director of Legal and HR Services seeking approval to the adoption of a voluntary redundancy policy and implementation of a voluntary redundancy process.	
7 Appointments to Sub-Committees / Outside Bodies	
To consider any appointments needing to be made in relation to General Purposes Sub Committees.	
Members are asked to note that details of any appointments to be	

considered will tabled at the meeting.

8 Any other urgent business

Notice of items to be raised under this heading must be given in writing to the Head of Executive and Member Services or his representative before the meeting in accordance with Standing Order 60.



- Please remember to set your mobile phone to silent during the meeting.
- The meeting room is accessible by lift and seats will be provided for members of the public.



LONDON BOROUGH OF BRENT

MINUTES OF THE GENERAL PURPOSES COMMITTEE

Tuesday 17 July 2018 at 6.00 pm

PRESENT: Councillors M Butt (Chair), McLennan (Vice-Chair), Agha, Farah, Hirani, Kansagra (as substitute for Councillor Colwill), M Patel (as substitute for Councillor Tater) and Krupa Sheth

1. **Apologies for absence and clarification of alternate members**

Apologies for absence were received from Councillors Colwill and Tatler, with Councillors Kansagra and M Patel present as substitute members.

2. **Declarations of interests**

There were no declarations of interests made by Members.

3. **Deputations (if any)**

There were no deputations received.

4. **Minutes of the previous meeting**

RESOLVED that the minutes of the previous meeting held on Monday 21 May 2018 be approved as an accurate record.

5. **Matters arising (if any)**

There were no matters arising.

6. **Review of Representation of Political Groups and Appointments**

Councillor Butt (as Chair) introduced the report from the Director of Legal and HR Services detailing a review of the representation of political groups on committees which there had been a requirement to undertake following the countermanded election held in Willesden Green ward on 21 June 2018.

Members noted that the full review had been presented to Council on 9 July 2018 and on this basis General Purposes Committee was now required to review the representation of political groups on each of their Sub Committees.

AGREED

- (1) To note the size of each Sub Committee to be appointed by the Committee;

- (2) To confirm the allocation of seats to political groups on each Sub Committee and appointment of members in accordance with the political balance rules, as detailed within section 3 of the report.

7. Appointments to Sub-Committees / Outside Bodies

RESOLVED to approve the following changes in appointments on General Purposes Sub Committees:

SENIOR STAFF APPOINTMENTS SUB-COMMITTEE

- (1) To note that Full Council on 9 July 2018 had agreed to amend SO51 to increase the number of Labour Group members appointed as substitutes on the Sub Committee by two.
- (2) To approve the addition of Councillors Miller and Southwood as substitute members on the Sub Committee, with the membership now as follows:

M BUTT (C)	LABOUR
MCLENNAN (VC)	LABOUR
COLWILL	CONSERVATIVE
HIRANI	LABOUR
KRUPA SHETH	LABOUR

SUBSTITUTE MEMBERS:

LABOUR: AGHA, FARAH, MILLER, M PATEL, SOUTHWOOD, TATLER
CONSERVATIVE: KANSAGRA, MAURICE

BRENT PENSION FUND SUB-COMMITTEE

- (1) Councillors Shahzad and Gbajumo to be replaced as full Members of the Sub Committee by Councillors Daly and Stephens, with the full membership now as follows:

CHOUDHARY (C)	LABOUR
ADEN (VC)	LABOUR
DALY	LABOUR
LO	LABOUR
MAURICE	CONSERVATIVE
PERRIN	LABOUR
STEPHENS	LABOUR

CO-OPTED NON-VOTING:

FRANCESCA HAMMOND	(UNISON)
STEPHEN HOLLEY	(UNITED COLLEGES GROUP)

SUBSTITUTE MEMBERS:

LABOUR: CHOUDRY, KABIR, MCLEISH, NAHEERATHAN
CONSERVATIVE: COLWILL, KANSAGRA

BRENT PENSION BOARD

- (1) To note that following the Council meeting on 9 July 18, an update on membership of the Pension Board would be provided for the next General Purposes Committee meeting.


8. Any other urgent business

None.

The meeting closed at 6.06 pm

COUNCILLOR MUHAMMED BUTT
Chair

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 Brent	General Purposes Committee 2 August 2018
	Report from the Director of Legal and HR Services
Voluntary Redundancy Policy	

Wards Affected:	All
Key or Non-Key Decision:	No
Open or Part/Fully Exempt: <small>(If exempt, please highlight relevant paragraph of Part 1, Schedule 12A of 1972 Local Government Act)</small>	Open
No. of Appendices:	2 Appendix 1: Draft Voluntary Redundancy Policy Appendix 2: Equality Impact Assessment (To Follow)
Background Papers:	None
Contact Officer(s): <small>(Name, Title, Contact Details)</small>	Debra Norman Director of Legal and HR Services Tel: 020 8937 1578 Email: debra.norman@brent.gov.uk

1.0. Purpose of the Report

- 1.1. This report recommends the adoption of a voluntary redundancy policy, and the implementation of a voluntary redundancy process, commencing on 3rd August 2018 to inform the next round of restructures and staff reductions to meet savings targets.

2.0. Recommendations

- 2.1 To approve the Voluntary Redundancy Policy in Appendix 1 and the implementation of a voluntary redundancy process commencing on 3rd August 2018.
- 2.2 To authorise the Chief Executive to determine whether a voluntary redundancy exercise should be implemented in accordance with the Policy on future occasions.

3.0. Detail

- 3.1. The council's redundancy payments scheme applies to employees with two or more years' continuous service with a body listed in the Redundancy Payments (Continuity of Employment in Local Government) Modification Order.
- 3.2. Calculation of payments under the council's scheme is based on the statutory scheme but actual salary rather than the statutory weekly maximum is used for this calculation. The calculation is as follows:
- 0.5 week's pay for each full year of service aged under 22
 - 1 week's pay for each full year of service between the ages of 22 and 41
 - 1.5 week's pay for each full year of service worked from the age of 41 and over.

This is subject to a maximum 20 years of service (30 x a week's pay is therefore the maximum available).

In addition, a discretionary severance payment, equal to 50% of the redundancy payment so calculated, is currently made to those made redundant.

- 3.3 Employees who are made redundant who are aged 55 or over and have at least two years of pension scheme membership will be entitled to immediate payment of pension benefits without reduction.
- 3.4 The council's Managing Change Procedure provides that volunteers should usually be sought when a restructure is to be undertaken as one of the measures to avoid compulsory redundancy. This means volunteers are only sought at a stage where the areas in which savings are to be made, and the eventual structure, have been developed in detail.
- 3.5 It is proposed that a voluntary redundancy scheme be implemented across the council to enable managers to have information about potential volunteers in advance of planning and implementing restructures. This may also facilitate succession planning and career progression, which is an issue highlighted in the recent staff survey.

4.0 Benefits to the council of a successful voluntary redundancy scheme

- 4.1 The council has made a commitment in its Change Management policy to seek to avoid compulsory redundancies by using voluntary redundancy where appropriate. This commitment and its implementation is likely to have a positive effect on employee engagement and reduce any negative impact on service performance which can result from the distress and demotivation sometimes experienced by continuing staff whose colleagues have been made compulsorily redundant.
- 4.2 A voluntary redundancy scheme is advantageous for both management and

employees. It enables employees to come forward and initiate a discussion about their future without fear of committing themselves until all the paperwork has been agreed after exit figures have been finalised. For managers, it means that they can plan reorganisations more effectively, knowing in advance which staff are willing to leave.

- 4.3 A voluntary redundancy scheme may also facilitate “bumped” redundancy. A bumped voluntary redundancy is one in which an employee (whose post is not being deleted) volunteers to be made redundant and their job is taken by a suitable potentially redundant employee whose post is being deleted. This avoids compulsory redundancy and may also provide opportunities for career progression.
- 4.4 Implementing compulsory redundancies is a significant drain on management time and is very disruptive for the wider workforce. Time is spent on individual consultation and in dealing with appeals which is saved if redundancy can be agreed on a voluntary basis.
- 4.5 Use of voluntary redundancy also reduces the risk of legal claims against the council. Implementation of compulsory processes carries with it the risk of disputes and employment tribunal claims. Even where these are successfully defended, they pose a further drain on management resource and on HR and Legal resources and may incur irrecoverable costs, for example in respect of the use of counsel.
- 5.0 **The proposed policy**
- 5.1 A draft proposed policy and scheme for 2018/19 is in Appendix 1. This is structured on the basis that it would be a single exercise (although it could be repeated in future years) rather than an on-going process to which staff may apply at any time. It would not prevent staff volunteering in the context of specific restructures as now. It is proposed that if the committee approve the Policy its implementation on other occasions be delegated to the Chief Executive.
- 5.2 The scheme would be open for applications from 3rd August 2018 – 28 September 2018. Applicants would complete an online application form by the specified deadline and all applications completed would be submitted to the relevant line manager and Departmental Management Team for consideration. The Departmental Management Teams will make recommendations to the Council Management Team which makes the final decision. There will be no appeal of this decision.
- 5.3 Having all final decisions made in one place will ensure consistency and will also enable the council to ensure that implementation of the scheme is affordable in the context of the council’s savings requirements.
- 5.4 Each individual case will be assessed on the basis of the efficiency of the service and longer term financial considerations. A payback period of not more than 2 years is proposed. Applications can only be accepted where it is appropriate to delete the employee’s post (or the post of another member of

staff who is suitable for the employee's post) as there must be a redundancy situation. Where an employee's post is not suitable for deletion, they may be placed on a central register of employees willing to take voluntary redundancy should another employee facing compulsorily redundancy in the future be a suitable candidate for their post.

- 5.5 It is proposed that employees taking voluntary redundancy under the scheme continue to work until the end of the financial year (31 March 2019) unless exceptionally another date is agreed by the Chief Executive.
- 5.6 A communications strategy has been developed to support implementation of the scheme and this will be put into effect from 3rd August if the Committee approves the proposed policy. This will include general publicity about the scheme on the Intranet and in staff and manager communications, drop in sessions for staff to explain the scheme and written guidance for both managers and employees.
- 5.7 Consultation in respect of the policy and process has been undertaken with the Trades Unions and no changes have been requested to the draft policy in Appendix 1.

6.0 Financial Implications

- 6.1 The costs and benefits of the proposal are unknown at this stage as they are dependent on the number of applications. In implementing the scheme, the business case must identify how savings equivalent to the cost of the voluntary severance package will be made within two years of the post being closed. Ongoing savings created by the permanent closure of the post will also need to be demonstrated.
- 6.2 The cost of an HR Officer at PO4 for three months to support the scheme is £15.6k.
- 6.3 Given the scale of the continuing savings required by the council over the coming years a suitably attractive VR scheme is a useful tool in mitigating the impact of compulsory redundancies on staff and overall will help support the achievement of savings.

7.0 Legal Implications

- 7.1 The council has power to enhance the statutory redundancy scheme and to make severance payments to staff not eligible for that scheme under Regulations 5 and 6 of the Local Government (Early Termination of Employment) (Discretionary Compensation) (England & Wales) Regulations 2006 (as amended) where dismissal is for redundancy or efficiency reasons.

7.2 Under the Redundancy Payments (Continuity of Employment in Local Government) Modification Order continuous service with bodies listed in the Order is included in the calculation of an employee's continuous employment for redundancy purposes.

8.0 Diversity Implications

8.1 The public sector equality duty, as set out in section 149 of the Equality Act 2010, requires the Council, when exercising its functions, to have "due regard" to the need to eliminate discrimination, harassment and victimisation and other conduct prohibited under the Act, to advance equality of opportunity and foster good relations between those who have a "protected characteristic" and those who do not share that protected characteristic. The protected characteristics are: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, and sexual orientation.

8.2 Having due regard involves the need to enquire into whether and how a proposed decision disproportionately affects people with a protected characteristic and the need to consider taking steps to meet the needs of persons who share a protected characteristic that are different from the needs of persons who do not share it. This includes removing or minimising disadvantages suffered by persons who share a protected characteristic that are connected to that characteristic.

8.3 An equality assessment has been undertaken in respect of the proposed policy. A copy of the final assessment will be circulated as a supplementary Appendix 2 to the report in advance of the meeting and the equalities impact of its implementation will be assessed as decisions are made and after the process has been completed.

Report sign off:

DEBRA NORMAN
Director of Legal and HR Services

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HR Policy

DRAFT Voluntary Redundancy Scheme 2018



Human Resources

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BACKGROUND

1 INTRODUCTION

- 1.1 The council is faced for a further year with the need to make substantial savings which will inevitably entail some job losses. In order to minimise the need for compulsory redundancies, the council has decided to introduce a general voluntary redundancy scheme which will operate for the 2018/19 financial year.

2 SCOPE OF THE PROCEDURE

- 2.1 This procedure applies to most non-school council employees. Those who are not eligible for a redundancy payment because they will not have completed 2 years continuous employment at the time of their departure are not eligible.
- 2.2 Applications under this Scheme may be made from 3 August 2018 and will not be considered unless they are received by the closing date of **Friday 28 September 2018**. It will still be possible for employees directly affected by a specific reorganisation to volunteer for redundancy during the consultation process concerning the specific reorganisation in the ordinary way

PROCEDURE

3 APPLICATION FOR VOLUNTARY REDUNDANCY

- 3.1 To make a formal application for voluntary redundancy, you should complete the Voluntary redundancy application form which is available online at: [LINK](#) . Paper applications or e-mails saying you wish to apply will **not** be accepted. If you do not have access to a computer, please call HR on (*to be included*). As a courtesy, you should inform your line manager if you submit an application for voluntary redundancy.
- 3.2 Before you apply you should calculate your redundancy entitlement using the online calculator available on the Intranet LINK. You can also contact the HR team on (*to be included*) or email (*to be included*).
- 3.3 Requesting redundancy figures is not a formal application for redundancy and does not commit you or the council to anything; it will simply trigger the production of a personal redundancy payment estimate for you. Your line manager is not notified of your interest in voluntary redundancy at this stage, although you may have already told them as a courtesy that you are interested in it.
- 3.4 Should you need a formal estimate of pension entitlement, you should make this clear in your email requesting a redundancy estimate.
- 3.5 Once you have received the estimate of your redundancy figures, if you decide to proceed and make a formal application for redundancy you should apply as soon as possible but no later than **Friday 28 September 2018**

4 VOLUNTARY REDUNDANCY PAY

- 4.1 Under the council's current severance arrangements, if accepted for redundancy you will receive:
 - a. a statutory redundancy payment based on your contractual weekly gross pay, rather than the statutory maximum of £508 per week;
 - b. a discretionary severance payment equivalent to half of the statutory

- redundancy payment calculated on this basis;
- c. immediate and unreduced payment of your benefits if you are a member of the Local Government Pension Scheme and provided that you:
 - have at least 2 years membership **AND**
 - are 55 years of age or over on your last day of service (assumed to be 31 March 2019 for the purpose of this exercise).
- 4.2 If you apply under this Scheme you will initially be provided with estimated figures with a last day of service of 31 March 2019. More precise figures will be supplied should your application for redundancy be successful.
- 4.3 Figures will be estimated based on:
- a. your age: as at the last day of service (in this case 31 March 2019)
 - b. length of local government service: completed years (maximum length 20 years)
 - c. weekly pay: based on your contractual gross weekly pay.
- 4.4 The amount of week's pay awarded is in accordance with the following:
- a. **0.5 week's pay** for each full year of service aged under 22
 - b. **1 week's pay** for each full year of service between the ages of 22 and under 41
 - c. **1.5 week's pay** for each full year of service worked from the age of 41 and over.

5 CONSIDERATION OF APPLICATIONS

- 5.1 Shortly after the closing date of **Friday 28 September 2018**, Human Resources will notify all Strategic Directors, Operational Directors and Heads of Service of the applications that have been made within their areas. The relevant Departmental Management Team (DMT) will consider your application. Your line manager will also be formally made aware of your application at this stage. Departmental Management Teams will make recommendations to the Council Management Team (CMT) which will make the final decision on all applications
- 5.2 CMT may accept or reject your application and has complete discretion in this respect (other than as set out at 4.3) based on business considerations and impact on the council. This could include:-
- a. the Council's need to retain the types of knowledge and skills that are believed to be essential to meet future business aims;
 - b. the need to retain a balance of employees with different skills;
 - c. issues around skills shortages, retention problems;
 - d. whether the employee is currently subject to action under the disciplinary, capability or sickness management procedures as it may not be appropriate to agree to a voluntary redundancy in these circumstances

There is no appeal of the decision and no grievance concerning it will be accepted.

- 5.3 Where your application is not accepted because it is not appropriate to delete your post, it may, if the CMT considers appropriate, be entered into a central register of employees willing to take voluntary redundancy should another employee facing compulsorily redundancy in the future be a suitable candidate for their post. This is called a "bumped" redundancy. Suitability will be assessed though the normal interview process for redeployment.
- 5.4 If your application is accepted a confirmation e-mail will be sent out.

- 5.5 You may accept or decline the offer at this stage. Once you have accepted a formal offer of voluntary redundancy, you may not withdraw your application.
- 5.6 If you wish to accept the offer, you must confirm by return e-mail that you accept the offer. Appropriate letters setting out the arrangements for leaving, including notice period and last day of service will then be issued and you will be made redundant.
- 5.7 You should be aware that if you obtain a position with this council or another body covered by the Redundancy Modification Order within a month of receiving your redundancy pay you will need to repay your redundancy payment.
- 5.8 The last day of service for employees leaving under this scheme is 31 March 2019, other than in exceptional circumstances agreed by the Chief Executive. Employees accepted for voluntary redundancy under this scheme will be expected to continue working until this date.

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