



Northumberland

County Council

STAFF AND APPOINTMENTS COMMITTEE

20TH SEPTEMBER 2022

Recommended Approval of the Voluntary Redundancy of the Director of Transformation - update

Report of:

Interim Executive Director for Communities and Business Development and Senior HR Manager

Purpose of report

On 15 August 2022 the StAC was asked to approve the voluntary redundancy for Mrs Allison Joynson, the Director of Transformation. The proposal was approved by StAC on the condition that Mrs Joynson signed a settlement agreement. Mrs Joynson was given until 7 September 2022 to consider the proposal. The purpose of this report is to provide the Committee with Mrs Joynson's decision which is that Mrs Joynson has agreed to enter into a settlement agreement.

Recommendations

Members are asked:

1. To recommend to full Council on the 21st September 2022 that Mrs Joynson's application for voluntary redundancy is approved.

Key issues and Background

At the meeting of the Staffing and Appointments Committee held on 15 August 2022 it was resolved that Mrs Joynson's voluntary redundancy application be approved:

- (a) conditional upon Mrs Joynson entering into a settlement agreement with the Council, which would not be unusual and would be in line with the previous 2021 active policy;
- (b) an update on negotiations be made to the next meeting of the Staff and Appointments Committee; and
- (c) no reference be made to a non-disclosure agreement settlement as it is not applicable.

This report provides an update on the actions taken since the meeting.

Mrs Joynson was informed of the decision taken by Staffing and Appointments Committee to approve the request for Voluntary Redundancy to Full Council, conditional on her signing a settlement agreement.

Discussions with Mrs Joynson, her representative, Senior HR Manager and Interim Executive Director of Communities and Business Development were had in a 'protected conversation' i.e., a discussion without prejudice and on a private and confidential basis.

Mrs Joynson has indicated that she is amenable to entering into a settlement agreement subject to terms to be agreed in consultation with her legal advisor. The terms of the settlement agreement with regards to the financial amounts will remain the same. The heads of terms to the settlement agreement will be formally agreed before the 21 September 2022.

Pay Policy

The Council's pay policy states:

“The Staff and Appointments Committee has delegated authority from the Full Council to approve severance and redundancy payments for Chief and Deputy Chief Officers. For clarity, this requirement applies to all those posts that fall into the scope of s43 of the Localism Act and all Heads of Service. All exit packages over 100k will be approved by Full Council.”

It is therefore incumbent on the Staff and Appointments Committee to decide whether to approve this voluntary redundancy application from Mrs Joynson and then for Full Council to also approve the application.

Link to Corporate Plan

Following the Caller and Section 114 reports the international business is under review and without pre-empting the outcome or any subsequent Cabinet decision, there is a possibility that the work would be stopped. Should that be the decision, a redundancy situation would follow. If the decision was to continue the work, a more cost effective delivery alternative would be found.

Implications

Policy	The process has followed the Council's Management of Organisational Change Policy and Redundancy Policy
Finance and value for money	<p>The 'payback period' for Mrs Joynson (i.e. the amount of time it will take for the savings made from not paying her salary to cover the cost of her exit), is in the region of 0.8 years. Factoring in pay in lieu of notice and untaken leave increases that to 1 year. The Council's general rule is that anything under 2 years represents value for money.</p> <p>The best value duty, as set out in section 3 of the Local Government Act 1999 ("the 1999 Act"), provides that "A best value authority must make arrangements to secure continuous improvement in the way in which its functions are exercised, having regard to a combination of economy, efficiency and effectiveness". The best value duty is</p>

	relevant to local authority duties to deliver a balanced budget (Part 1 of the Local Government Finance Act 1992), provide statutory services and secure value for money in spending decisions.
Legal	<p>Under s2 of the Local Government and Housing Act 1989 the Staff and Appointments Committee discharges the Council's functions of the employer in relation to the Chief and Deputy Chief Officers. The Committee must also approve any voluntary severance, settlement or ex-gratia payment to be made to any Chief or Deputy Chief Officer.</p> <p>The definition of a redundancy is as follows: The dismissal of an employee will be by reason of redundancy if it is "wholly or mainly attributable to" the employer:</p> <ul style="list-style-type: none"> • Ceasing or intending to cease to carry on the business for the purpose of which the employee was employed by it (business closure) • Having a reduced requirement for employees to carry out work of a particular kind or to do so at the place where the employee was employed to work (reduced requirement for employees) <p>The proposed payments owed to Mrs Joynson are legal requirements in a redundancy situation. The process has followed the Council's redundancy policy which is reviewed regularly in accordance with The Local Government (Early Termination of Employment) (Discretionary Compensation) (England and Wales) Regulations.</p>
Procurement	n/a
Human Resources	The process has followed the Council's Management of Organisational Change Policy and Redundancy Policy.
Property	n/a
Equalities (Impact Assessment attached) Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>	Mrs Joynson approached the Council initially and is the only post holder.
Risk Assessment	n/a
Crime & Disorder	n/a
Customer Consideration	n/a

Carbon reduction	n/a
Health and Wellbeing	n/a
Wards	n/a

Relevant linked reports

[Recommended Approval of the Voluntary Redundancy of the Director of Transformation.](#)

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Background papers:

N/A

Report sign off.

Authors must ensure that officers and members have agreed the content of the report:

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