

Report of the Chief Officer - HR and Support Services

## **Redundancy, Pension and Exit Discretions Expenditure**

### **Summary**

1. This report advises the Staffing Matters and Urgency Committee of the expenditure associated with redundancy, pension or exit discretions paid in accordance with council policy to employees below Chief Officer.
2. The new cases presented to the Committee for information cover the period June to August 2025 as well as the previous 12 months.

### **Background**

3. The employment Rights Act 1996 s139 defines redundancy where:
  - a. The employer has ceased or intends to cease:
    - (i) To carry on the business for the purposes of which the employee was employed by him, or;
    - (ii) To carry on that business in the place where the employee was so employed, or;
  - b. The requirements of that business
    - (i) For employees to carry out work of a particular kind or,
    - (ii) For employees to carry out work of a particular kind in the place where the employee was employed by the employer have ceased or diminished or are expected to cease or diminish.
4. As with all employers the Council due to changes in operational requirements, structure, funding, and or priorities will on occasions require to consult with employees on proposed redundancies. Whilst every effort is made to avoid dismissal for reasons of redundancy through seeking suitable alternative employment, this report notes the number of cases and costs where a dismissal due to redundancy is likely or has taken place.

5. The Council has a flexible retirement policy to enable a planned and flexible approach to retirement that helps facilitate the transfer of knowledge and experience to others within the organisation. This report also notes the number of applications approved and any costs associated with these. Flexible retirement business cases consider individual employee requests for flexible retirement which must include a reduction in contractual hours (of at least 2 days – equating to at least 40% of contractual hours and up to no more than 3 days at 60% of contractual hours) or a reduction of 2 grades in the pay spine in line with the policy. All business cases consider the impact on a service/team and whether the reduced hours are required to be covered by other officers in the team

## Consultation

6. All of the proposed redundancy, pension or exit discretions have been subject to consultation in accordance with the Council's statutory obligations.

## Approval

7. In accordance with Council policy the appropriate Chief Officer of the Departmental Management Team and S151 Officer (Director of Finance) have approved presented business case(s). The decisions as to whether to make an employee redundant rest with the Chief Operating Officer or Officers nominated by him. In terms of payments related to redundancy the Council is contractually obliged to make the payment set out in the business case. Only in exceptional circumstances can discretionary additional payments for redundancy be considered. The Section 151 Officer has decision making authority for all staff other than Chief Officers in this matter. Chief Officer redundancies (Statutory Chief officers and Corporate Directors) as per the Constitution for this committee (Article 11: Staffing matters and Urgency Committee) will be presented to the committee when appropriate for approval.  
<https://democracy.york.gov.uk/documents/s175988/Article%2011%20-%20Staffing%20Matters.pdf>

## Analysis

8. **Annex A** is a confidential anonymised summary of the cases approved in the last 12 months, with the latest cases unshaded at the bottom of the table for the Committee's information and overview.

9. Of the new cases presented there are 2 flexible retirements, 3 redundancies, of which 3 redundancy payments have pensions payments. Pension payments are paid to those employees who are aged 55 and over and are made redundant. Payment of pension on redundancy is in accordance with the Local Government Pension Scheme Regulations and is an automatic entitlement. There are no cases presented with additional discretionary payments.

### **Council Plan**

9. Whilst the actions being proposed in the report are not material to the Council Plan they are consistent with the required outcomes of the Workforce Development Strategy

### **Implications**

10. Each case is assessed individually in line with HR processes and procedures. The implications of each business case have been assessed by relevant officers prior to approval. The Committee can be assured that relevant signatures and authorisations have been undertaken prior to processing agreed cases.

### **Risk Management**

11. The specific risks associated with each proposal and how they can be mitigated are contained in each business case. In summary, the risks associated with the recommended option are financial, legal, operational, and reputational.

### **Recommendations**

12. Staffing Matters and Urgency Committee is asked to:
  - a. Note the expenditure and cases that have been approved.

Reason: To provide an overview of expenditure.

## **Contact Details**

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**Report Approved** ✓ **Date** 15 August 2025

**Specialist Implications Officer(s):** None.

**Wards Affected:** None.

**Annexes:** None.

**Background Papers:** None.