

7 September 2022

Audit & Governance Committee

Exit Strategies: Guidance on the making and disclosure of special severance payments

Summary

This report is for the Audit & Governance Committee to note the Council's response to DLUHC's publication on 12th May 2022 of "Statutory Guidance on the making and disclosure of special severance payments by local authorities in England"

Recommendations

The Audit & Governance Committee notes the Council's response to the to DLUHC's publication on 12th May 2022 of "Statutory Guidance on the making and disclosure of special severance payments by local authorities in England"

It is noted that the Council's Exit Strategies: Guidance on the use of Settlement Agreements including Special Severance Payments was approved by the Staffing Matters and Urgency Committee on 18th October 2021.

Reasons for the recommendations

The Council is required to comply with Statutory guidance issued by the Government.

Options

There are no other options available in respect of this report.

Background

In compliance with the Action Plan prepared in response to the Public Interest Report issued in April 2021, a comprehensive Exit Strategies document was developed and considered by the Audit & Governance Committee on 8th and 29th September 2021.

This Exit Strategies document was subsequently approved by the Staffing Matters and Urgency Committee on 18th October 2021. Once approved, all key senior staff, including all HR staff, received training on the respective requirements and implications of the Council's guidance and awareness was raised around the new business case template and the need for external legal advice and support at key stages.

In the drafting of the same, close consideration was given to the consultation document issued by MHCLG in July 2021, "Statutory Guidance on the making and disclosure of Special Severance Payments by local authorities". Consultation also took place at that time with the Trade Unions and with Internal Audit. Once approved, the Exit Strategies documents was shared with External Audit and with the LGA as part of their work supporting the Audit & Governance Committee.

Having reviewed the Council's Exit Strategies document alongside the recently published consultation response/statutory Guidance by DLUHC, the Council's approved guidance does reflect the requirements of the Government's Statutory Guidance.

In addition, the Pay Elements and Discretions document approved by Staffing Matters and Urgency Committee to support the Council's Exit Strategies document has now been incorporated into the Council's Constitution.

Implications

Financial

None directly arising from this report.

Human Resources (HR)

Whilst there are no human resource implications arising directly from this report, HR advice will be required on a case by case basis should the provisions of the Exit Strategies document be utilised. In

accordance with the council's constitution, the Head of HR does have to be consulted before any pay elements and or discretions can be approved.

Equalities

None directly arising from this report.

Legal

The Council is required to comply with statutory guidance issued by Government. Whilst there are no legal implications directly arising from this report, external specialist legal advice was sought in the preparation and approval process of the Council's Exit Strategies document and it is a requirement within the Exit Strategies document that external legal advice will be sought on a case by case basis as and when the need arises.

Crime and Disorder, Information Technology and Property

None directly arising from this report.

Author responsible for the report:

Janie Berry, Director of Governance, City of York Council

Report **Date** *8th June 2022*
Approved

Wards Affected: *List wards or tick box to indicate all* **All**

For further information please contact the author of the report

Appendices

- “Statutory Guidance on the making and disclosure of special severance payments by local authorities in England” published by DLUHC on 12th May 2022 - <https://www.gov.uk/government/publications/special-severance-payments/statutory-guidance-on-the-making-and-disclosure-of-special-severance-payments-by-local-authorities-in-england>
- City of York Council “Exit Strategies” approved by Staffing Matters and Urgency Committee on 18th October 2021

Background Papers

- Report in the Public Interest dated 19th April 2021 and Action Plan approved in response by Extraordinary meeting of Council on 4th May 2021
- Agendas, Report and Minutes of the Audit & Governance Committee on 8th September 2021 and 29th September 2021
- Agenda, Reports and Minutes of the Staffing Matters and Urgency Committee on 18th October 2021
- City of York Council Constitution