

<b>REPORT TO THE EXECUTIVE</b>
--------------------------------



<b>DATE</b>	<b>16<sup>th</sup> November 2010</b>
<b>PORTFOLIO</b>	<b>Resources</b>
<b>REPORT AUTHOR</b>	<b>Nick Aves, Director of Resources</b>
<b>TEL NO</b>	<b>01282-477171</b>
<b>EMAIL</b>	<b>naves@burnley.gov.uk</b>

<b>Redundancy Procedure</b>
-----------------------------

<b>PURPOSE</b>
----------------

1. To recommend a minor variation to the Redundancy Procedure.

<b>RECOMMENDATION</b>
-----------------------

2. That the Chief Executive be recommended to use his powers under Part 3 of the Constitution to amend paragraph 2.2 of the Procedure for Dealing with Redundancy Appeals as set out in the report.

<b>REASONS FOR RECOMMENDATION</b>
-----------------------------------

3. This is a minor amendment that cannot wait until the next Council meeting on 16<sup>th</sup> December 2010 because it would delay the consultation process with staff currently at risk of redundancy.

<b>SUMMARY OF KEY POINTS</b>
------------------------------

4. The proposed amendment concerns the section of the procedure that relates to the process for lodging appeals against redundancy. At present section 2.2 is worded as follows:  
  
2.2 If the employee decides to appeal against their redundancy he/she must do so in writing, stating the grounds and enclosing relevant documents, within 10 days of the date of the letter notifying them of the redundancy. The notice of appeal must be sent to the Personnel Manager.
5. The Council is currently undertaking a consultation process with over 100 staff at risk of redundancy. At present, the consultation process is due to end at the end of November and at that point staff will be informed whether they have been identified for redundancy under the selection process undertaken by their Head of Service. However, redundancy notices are not due to be issued until early January. It seems unreasonable that staff who have been selected for redundancy should be prevented from exercising their right of appeal as soon as the selection process has been concluded and they have been notified of the results.

6. It is therefore proposed that this section be reworded as follows.

2.2 If the employee decides to appeal against their redundancy he/she must do so in writing, stating the grounds and enclosing relevant documents, within 10 working days of receiving formal confirmation that their post is to be made redundant. This may be in advance of the issue of the formal redundancy notice where the proposed numbers of redundancies within a defined period are high. The notice of appeal must be sent to the People and Development Manager.

7. While the redundancy consultation process is progressing, senior management and the trade unions are meeting on a weekly basis to resolve any issue of principle that arise. The recommendations in this report were agreed at the meeting held on Friday 12<sup>th</sup> November 2010.

8. The Redundancy Procedure forms part of the Policy Framework and is therefore subject to approval by full Council. Part 3 of the Constitution enables the Chief Executive to deal with urgent items of business that cannot await the next meeting of full Council after consultation with the Mayor. The next meeting of full Council does not take place until 16<sup>th</sup> December and the redundancy selection process will have been concluded several weeks before this date. This decision therefore needs to be taken as a matter of urgency.

#### **FINANCIAL IMPLICATIONS AND BUDGET PROVISION**

9. None arise.

#### **POLICY IMPLICATIONS**

10. This is an amendment to the Policy Framework as set out in the report..

#### **DETAILS OF CONSULTATION**

11. Unison

#### **BACKGROUND PAPERS**

#### **FURTHER INFORMATION**

**PLEASE CONTACT:**

**Nick Aves, Director of Resources**

**ALSO:**

**David Wilcock, Head of People & Law**