



Voluntary Redundancy and Returning Employees

SUMMARY

- 1.1 Personnel Committee previously considered information on people who left on VR and had returned to the Council's employment. Following on from that this report provides monitoring information on further occurrences where this has happened.
- 1.2 The report identifies six people and seven occurrences (one person was re-employed on two separate contracts) where people left Derby City Council on VR on 31/12/11 and have subsequently been re-employed since March 2012...

RECOMMENDATION

- 2.1 Personnel Committee notes the contents of the report.
- 2.2 Personnel Committee notes the introduction of improved vacancy control processes.

REASONS FOR RECOMMENDATION

- 3.1 Members of Personnel Committee asked for information to be provided on the number of Derby City Council employees who left the Council on the grounds of voluntary redundancy who had subsequently been re-employed by the Council.
- 3.2 The introduction of improved vacancy control processes will ensure that no-one who takes VR is re-employed within the prescribed four week period.

SUPPORTING INFORMATION

- 4.1 The Redundancy Modifications Order (RMO) designates all those organisations covered by the order as a 'single employer' for redundancy purposes where that service is unbroken. It includes almost every organisation once under local authority control i.e. former polytechnics and some higher education colleges.
- 4.2 If the employee takes a redundancy payment and commences work for the next RMO employer after four weeks have elapsed then continuous service will be broken. If employment commences in an organisation covered by the order within a four week period the individual is required to pay the redundancy payment back.
- 4.3 The other factor to recognise here is the relevance of the Local Government and Housing Act 1989 which prescribes that 'all staff be appointed on merit'. Therefore if a genuine vacancy arises the best person, as identified through a recruitment exercise, should be appointed. Consideration of whether they have taken a VR payment is not part of the appointment on merit process.
- 4.4 Whilst it does not look very palatable that people are re-employed by the Council after taking a VR package there are circumstances where this is legitimate and potentially beneficial to the organisation. For example it is not always possible to effect redeployment where the time between a redundancy and new vacancy arising is months apart.
- 4.5 All seven people who were re-employed were hired after the four week period had elapsed, the average return to Derby City Council employment was 5.4 months. Six of the returners had a break of at least four months.
- 4.6 Two out of the seven re-employments have been done on a temporary basis. The other five are permanent appointments.
- 4.7 The returners were all re-employed by the same Directorate that they left on VR in December 2011. In terms of the posts they were re-employed into, three people were re-employed in the same or similar roles and four were employed into different roles. See appendix 2 for more details of the VR leavers and returners.

OTHER OPTIONS CONSIDERED

- 5.1 None

This report has been approved by the following officers:

Legal officer	n/a
Financial officer	n/a
Human Resources officer	Laura Jones HR Manager, Hannah Parry HR Manager
Service Director(s)	Karen Jewell Director HR & Business Support
Other(s)	Nikki Gibbons, Head of HR and OD

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Background papers:	None
List of appendices:	Appendix 1 Implications Appendix 2 List of returners

IMPLICATIONS

Financial and Value for Money

- 1.1 The total cost of the exit packages for the VR returners was £50,000.

Legal

- 2.1 Redundancy Payments Modification Order (RMO) – a four week break must be had before being employed by an organisation on the RMO list, otherwise a redundancy is not deemed to have occurred. Any redundancy payment would have to be paid back if they are re-employed within the four week period. The Local Government and Housing Act 1989 section 7 outlines that ‘all staff be appointed on merit’. Consideration of a VR payment is not part of that appointment on merit process.

Personnel

- 3.1 See contents of report

Equalities Impact

- 4.1 n/a

Health and Safety

- 5.1 n/a

Environmental Sustainability

- 6.1 n/a

Asset Management

- 7.1 n/a

Risk Management

- 8.1 n/a

Corporate objectives and priorities for change

- 9.1

Appendix 2

List of VR leavers from Dec 2011 who were subsequently re-employed from March to 1 October 2012

Directorate VR taken from	VR Post Title	VR exit date	New Directorate	New job title	New post start date
AH&H	Home Care Assistant	31/12/2011	AH&H	Care assistant (Day)	14/05/2012
AH&H	Home Care Assistant	31/12/2011	AH&H	Home care assistant (Day services)	03/09/2012
CYP	Japanese Support	31/12/2011	CYP	EAL Teacher	01/09/2012
Neighbourhoods	Creche Supervisor	31/12/2011	NEIGHBOURHOODS	Cleaner	12/06/2012
Neighbourhoods	Pre-School Gymnastics Assistant Coach	31/12/2011	NEIGHBOURHOODS	Cleaner	12/06/2012
Neighbourhoods	Coach	31/12/2011	NEIGHBOURHOODS	Wellbeing co-ordinator	01/03/2012
AH&H	Day Service Worker	31/12/2011	AH&H	Senior care team leader	28/05/2012