



Derby City Council

**Personnel Committee  
26 March 2015**

Report of the Director of Legal and Democratic  
Services and Interim Director of HR

# ITEM 5

## **Process for Dealing with Appeals Against Redundancy Dismissals**

### **SUMMARY**

- 1.1 The budget proposals have identified that approximately £25 million savings are required for 2015/16. Directorates have developed their restructure proposals to deliver staffing savings and the details of the directorate-specific proposals have been shared with the Trade Unions at the Trade Union Budget consultation meetings. Local consultation is also taking place on each service-specific restructure proposal.
- 1.2 The consultation process has involved consulting over possible dismissals on the grounds of redundancy. Any redundancy dismissals that might be necessary following the appropriate period of consultation will be made in accordance with the existing Consultation, Restructuring and Redundancy Policy.
- 1.3 Appeals against dismissals, including by reason of redundancy, are currently heard by an Appeals Committee consisting of three elected members.
- 1.4 Due to the timing of the potential dismissals by reason of redundancy and the co-incident timing of the election period, it is anticipated that the elected member availability to hear appeals will be significantly reduced.

### **RECOMMENDATIONS**

- 2.1 To note that Chair of Personnel Committee had agreed, that a report be tabled at CJC on 19 March 2015 informing Trade Unions of the proposed waiver, before consideration by Personnel Committee on 26 March 2015 due to the urgency of the matter.
- 2.2 To agree that any appeals against dismissal by reason of redundancy between 18 March 2015 and 30 September 2015 should be heard by chief officers and paragraph 2.2.2 of the Appeals Policy (attached at appendix 2) is waived in respect of considering any appeals against dismissal by reason of redundancy.

### **REASONS FOR RECOMMENDATIONS**

- 3.1 In view of the nature of appeals against dismissal by reason of redundancy, and the requirement to hear such appeals in as timely a manner as possible, the Council

should temporarily streamline its internal processes for considering such matters to reduce the scope for any delays.

## SUPPORTING INFORMATION

- 4.1 The recommendation that any appeals against dismissal by reason of redundancy between 18 March 2015 and 30 September 2015 should be heard by chief officers, and that paragraph 2.2.2 of the Appeals Policy (attached at appendix 2) is waived in respect of considering any appeals against dismissal by reason of redundancy, is a temporary change only to the current Appeals Policy.
- 4.2 If an employee who has lodged their appeal is in agreement, elected members could choose to attend the appeal as an observer if they wished to do so. The information discussed in the appeal would remain confidential and the decision about the appeal would remain with the chief officer.
- 4.3 The benefit of this approach is that the Council is able to hear the appeals in as timely a manner as possible, both for the benefit of the employee, and to enable restructure proposals to be progressed and implemented as appropriate.

## OTHER OPTIONS CONSIDERED

- 5.1 None.

**This report has been approved by the following officers:**

<p><b>Legal officer</b></p> <p><b>Financial officer</b></p> <p><b>Human Resources officer</b></p> <p><b>Estates/Property officer</b></p> <p><b>Service Director(s)</b></p> <p><b>Other(s)</b></p>	<p>Janie Berry, Director of Legal and Democratic Services and Interim Director of HR</p> <p>Diane Sturdy, Acting Head of Service HR Liz Moore, Acting Head of Service HR</p>
<p><b>For more information contact:</b></p> <p><b>Background papers:</b></p> <p><b>List of appendices:</b></p>	<p>Liz Moore, Acting Head of Service – HR Tel 01332 643730 email liz.moore@derby.gov.uk</p> <p>None</p> <p>Appendix 1 – Implications</p> <p>Appendix 2 – Appeals Policy</p>

<b>IMPLICATIONS</b>
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**Financial and Value for Money**

1.1 None directly arising.

**Legal**

2.1 None directly arising.

**Personnel**

3.1 As set out in the report.

**IT**

4.1 None directly arising.

**Equalities Impact**

5.1 Chief officers temporarily hearing appeals against dismissal by reason of redundancy will enable all employees who lodge such an appeal to have their appeal heard in a timely manner.

**Health and Safety**

6.1 None directly arising.

**Environmental Sustainability**

7.1 None directly arising.

**Property and Asset Management**

8.1 None directly arising.

**Risk Management**

9.1 None directly arising.

## **Corporate objectives and priorities for change**

10.1 A skilled and motivated workforce.