

Severance scheme

January 2018



EICH CYNGOR arleinamdani
www.sirgar.llyw.cymru

YOUR COUNCIL doitonline
www.carmarthenshire.gov.wales

General Principles

1. Carmarthenshire County Council (CCC) is committed to working with employees and trade unions to minimise the impact of budget reductions on its services and workforce. However, over the coming years, Local Government faces a difficult economic future which could result in significant budget reduction. This will inevitably affect the way we provide services and the employees who provide those services. The Severance Scheme provides financial support to employees who leave their employment early due to efficiency.

Scope

2. This scheme applies to employees of Carmarthenshire County Council who have a minimum of 2 years qualifying service, excluding staff employed by locally managed schools where the governing body will determine the policy.
3. In line with the business case approval process, any employee subject to disciplinary or capability (health or performance) triggers or procedures will be precluded from the Severance Scheme, until it can be demonstrated that due process has been followed. Managers are advised to speak to an HR Advisor prior to agreeing any provisional support for an application for release under the Severance Scheme.

The Scheme

4. The scheme will follow the principles of the Discretionary Compensatory Regulations. The Council's Policy in respect of the Discretionary Policy Regulations are subject to change, either in line with any change in regulations or by due consideration by the Authority. These provisions do not confer any contractual rights.
5. Severance payments will be made in accordance with the attached table – see Appendix 2 and will be paid through the first available payroll after the termination date.
6. Release of pension benefits will be considered for those LGPS members aged 55 or over.
7. Voluntary severance ends the employment contract through mutual consent on an agreed date.

Process

8. The criteria for eligibility is as follows – each department will need to critically review the expression of interest to determine how many requests can be supported and whether business cases can be made to release these staff on an operationally and financially viable basis.
9. There is no right to these severance arrangements. The decision made by the Authority will be final therefore there is no appeals process within this scheme.
10. If you are interested in exploring the possibility of voluntary severance, please complete the enclosed expression of interest form and discuss your request with your line manager.
11. Please do not contact the Pensions Section to request an estimate of your benefits. This will only be provided if the expression of interest form is completed and returned.
12. However, some useful guidance and information can be found on the Dyfed Pension Scheme Website including an online calculator:
<https://mypensiononline.dyfedpensionfund.org.uk/altairMSSWeb/login>
13. Following receipt of your expressions of interest your Head of Service will consider each case and determine which are viable for fuller consideration. Once this exercise has been completed you will be contacted to explore your request in more detail and to discuss the implications.
14. Staff will not be committed to any expressions of interest until required to sign an acceptance form and Settlement Agreement, as appropriate, which confirm termination of employment on a mutually agreeable date. Once signed, the Authority is not obliged to accept any subsequent request you may make to withdraw from the agreement.

15. Employees leaving the Council's employment on the grounds of Voluntary Severance will do so on the basis of a **mutually agreed termination date, with no notice period being applicable on either side** and with **no payment in lieu** for any outstanding holidays, time off in lieu or flexi leave.
16. Employees who voluntarily leave the Council's employment under this Scheme cannot work for Carmarthenshire County Council again in any capacity, including on a casual basis, until at least 1 year has elapsed. Under no circumstances should an employee be re-appointed into the same or similar job to the one in which s/he was employed at the time of leaving. All such appointments should be made via the usual Authority's recruitment procedures.

However, in exceptional circumstances an employee may be re-employed by the Council prior to 1 year, subject to the joint agreement of the Chief Executive and Leader of the Council. In approving a re-employment the Authority will need to be satisfied that:

- the employee is not being re-employed in a role or capacity, which is broadly similar to the role from which they left voluntarily;
- the rate of pay applied to the work undertaken by the re-engaged employee should be that appropriate to the work to be done and not the grading which applied to the employee prior to the end of their current contract;
- the employment should be for a fixed term, not exceeding one year, unless there are exceptional circumstances; and
- the arrangement must provide financial / operational advantage to the Council.

This will be operated entirely at the Council's discretion and the decision in respect of each application is final.

17. Further information can also be found via the HR pages on the intranet. If you are unable to access these pages, please contact your line manager.

18. Please contact your departmental HR Advisor should you require any further clarification in respect of the Scheme.

ENSURING EQUALITY OF OPPORTUNITY

All employees are required to adopt a positive, open and fair approach and ensure the Authority's Equality and Diversity Policy is adhered to and applied consistently to all irrespective of race, colour, nationality, ethnic or national origins, disability, religion and belief or non-belief, age, sex, gender reassignment, gender identity and gender expression, sexual orientation, pregnancy or maternity, marital or civil partnership status.

In addition, the Welsh Language Standards ask us to 'ensure that the Welsh language is treated no less favorably than the English language' and this principle should be adopted in the application of this principle.

If you have any equality and diversity concerns in relation to the application of this policy and procedure, please contact a member of the HR Team who will, if necessary, ensure the policy/procedure is reviewed accordingly

If you require this publication in an alternative format please contact People Management on Ext 6184 or email PMBusinessSupportUnit@carmarthenshire.gov.uk