

Resources Directorate

Mr G Martin
Branch Secretary
Harrow L.G. Branch
The Unison Office
Central Depot
Forward Drive
Harrow
Middx
HA3 8NT.

23 December 2013

Dear Gary

**Modernising Terms and Conditions of Employment Collective Agreement:
'Variations to this Agreement' (section 6) – one month notice to amend
'Redundancy Payments' (section 7.3.2)**

I refer to the Emergency CJC meeting held on 18 December 2013 and to your letter of the same date.

Voluntary or 'Bumped' Redundancy

At our meeting you referred to the requirement under legislation for consideration of requests for Voluntary Redundancy in order to avoid or minimise the numbers of compulsory redundancies. You explained that in one case a request for Voluntary Redundancy had been agreed albeit that the employee was not at risk of redundancy; you referred to another case where the employee is at risk and has requested Voluntary Redundancy or a 'bumped' redundancy.

My understanding is that in the first case, the employee was at risk of redundancy and had been formally notified of that; in the second case, there is no case to agree a 'bumped' redundancy as there is no requirement for the service to make any redundancies with the number of vacancies that are available. In any event, whilst the council will consider any requests for Voluntary Redundancy in order to avoid compulsory redundancies, agreement will be dependent on the circumstances applying and is not a right set out in legislation. On this basis I cannot see that there are issues here. However, if you feel that there are, you should refer them to the relevant Directorate Joint Committee to consider.

Claim of delays to avoid redundancy payments being made on the current basis

You also referred to requests for Voluntary Redundancy and consideration by the Officer Sub-Group being protracted in a deliberate attempt to avoid redundancy taking effect in this financial year so that redundancy pay to individuals is at the reduced level that would apply in 2014/15. The Officer Sub-Group is a long-standing sub-group which considers swiftly those business cases for redundancy submitted by managers. If a Voluntary Redundancy request could not be supported by a manager, the officer sub-group would not be requested to consider it.

You further mentioned that in one current change process, management were delaying progressing the change for the same reason, or in any event, with the same outcome. However, at our meeting you also mentioned that management are working hard to progress all that was required in this change process.

You gave notice that Unison was seeking that, under Section 6 of the Collective Agreement, the Council agree to the suspension of paragraphs 3 and 4 of section 7.3.2 (redundancy pay changes from 2014 and 2015).

After consideration of the points you have raised I cannot see that there is any reason for the Council to agree to your request.

Yours sincerely,

Lesley Clarke
Organisational Development Manager

Cc:

John Noblemunn, Regional Officer, Unison
Steve Sweeney, Regional Officer, GMB
Cllr Susan Hall, Leader of the Council
Cllr Paul Osborn, Portfolio Holder
Cllr David Perry, Labour Group Leader
Paul Najsarek, Acting Head of Paid Service
Tom Whiting, Corporate Director Resources
Jon Turner, Divisional Director of HRD & Shared Services

Yours sincerely

Jon Turner
Divisional Director

CC Emma Stabler, Chair of Governors