

# Pay Policy Statement

## 2024/2025



**ORGANISATIONAL DEVELOPMENT DIVISION**

This document is also available in Welsh / Mae'r ddogfen hon hefyd ar gael yn Gymraeg

# Version Control

This document is intended for:

- Council staff only    School-based staff only    Council & School-based staff

Version	Key Changes	Approved By
2020/21	New policy for 2020/2021	Council – 23/07/20
2021/22	New policy for 2021/2022	Council – 25/03/21
2022/23	New policy for 2022/2023	Council – 09/03/22
2023/24	New policy for 2023/2024	Council – 30/03/23
2024/25	New policy for 2024/2025	

This document may be reviewed and amended at any time and without consultation in response to legal requirements or in response to an organisational requirement and where the changes do not reflect a fundamental change or affect the spirit or intent of the document.

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# 1. Introduction

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Welcome to Blaenau Gwent County Borough Council's annual Pay Policy Statement. This statement sets out the Council's approach to setting pay for employees including senior officers and covers the period 1<sup>st</sup> April 2024 to 31<sup>st</sup> March 2025.

The Council recognises the public interest in public sector pay and we are committed to being open, transparent and accountable ensuring that our council taxpayers have access to information about how we pay employees.

As a public sector organisation, we recognise the importance people place on the delivery of high-quality council services, whilst ensuring value for money.

As one of the largest employers in the area it is important that we offer attractive employment opportunities on fair rates of pay and reasonable terms and conditions. This will ensure we can attract, retain and motivate employees, with the right level of skills, who are committed and share our vision. This has a beneficial impact on the quality of life and prosperity within the local community as well as on the local economy.



**Councillor Stephen Thomas**  
**Leader of the Council**



**Damien McCann**  
**Interim Chief Executive**

## 2. Purpose

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- 2.1 Under Section 112 of the Local Government Act 1972 the Council has the power “to appoint officers on such reasonable terms and conditions as the Council thinks fit”. This Pay Policy Statement sets out the Council’s approach to Pay in accordance with the requirements of Section 38 - 43 of the Localism Act 2011 and with regard to the latest Welsh Government guidance. The purpose of this Pay Policy Statement is to provide transparency in relation to the Council’s approach to setting the pay of its workforce, particularly its senior staff (or ‘chief officers’) and its lowest paid employees. Local Authorities are required to produce and publish a Pay Policy Statement for each financial year detailing:
- The Council’s policies in relation to all aspects and elements of the remuneration of Chief Officers;
  - The approach to the publication of and access to information relating to all aspects of the remuneration of Chief Officers;
  - The Council’s policies in relation to the remuneration of its lowest paid employees (including the definition adopted and reasons for it);
  - The relationship between the remuneration of Chief Officers and other employees.
- 2.2 The Council is a large complex organisation with a multi-million pound budget providing and/or commissioning a wide range of essential services. The general approach to remuneration levels may, therefore, differ from one group of employees to another to reflect specific circumstances at a local, regional or national level. It will also need to be flexible, when required, to address a variety of changing circumstances, whether foreseeable or not.
- 2.3 The Council will develop an annual Pay Policy Statement and will seek to align reward systems with business objectives. As required by legislation, following approval by Full Council this Pay Policy Statement will come into immediate effect and will be subject to review on a minimum of an annual basis in accordance with the relevant legislation and guidance prevailing at the time.

## 3. Legislative Framework

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- 3.1 In determining the pay and remuneration of its employees, the Council will comply with all relevant employment legislation.
- 3.2 With regard to the Equal Pay requirements contained within the Equality Act 2010, the Council, through the use of an equality proofed Job Evaluation scheme for staff under the National Joint Council for Local Government Services (NJC) terms and conditions which directly relates salaries to the requirements, demands and responsibilities of the role, will aim to ensure that there is no pay discrimination within its pay structures and that all pay differentials can be objectively justified.

## 4. Scope of the Policy

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- 4.1 The Localism Act 2011 requires authorities to develop and make public their Pay Policy Statement on all aspects of Chief Officer remuneration and that pertaining to the 'lowest paid' in the Council, explaining the relationship between the remuneration for Chief Officers and other groups.
- 4.2 The provisions in the Localism Act 2011 do not apply to the staff of local authority schools and as such they are not included within the scope of this Pay Policy Statement. In addition, this policy does not apply to Members of the Council as they are not employees and are governed by separate legislation via the Independent Remuneration Panel for Wales.
- 4.3 The provisions of the Localism Act 2011 do not detract from the Council's autonomy in making decisions on pay that are appropriate to local circumstances and which deliver value for money for local taxpayers.

## 5. Key Principles

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### 5.1 Transparency, accountability and value for money

- 5.1.1 The Council is committed to an open and transparent approach to its Pay Policy Statement which will enable the taxpayer to access, understand and assess information on remuneration levels across all groups of Council employees. The following are attached as appendices:

- Appendix 1: Local Government Services Employee Pay Scales
- Appendix 2: Chief Officer Pay Scales
- Appendix 3: Soulbury Pay Scales
- Appendix 4: Retirement Options Policy
- Appendix 5: Local Government Pension Scheme Regulations 2013 Statement Of Policy - Exercise Of Discretionary Functions
- Appendix 6: Redundancy Policy
- Appendix 7: In the Interests of the Efficiency of the Service Policy

### 5.2 Pay and Reward Strategy

- 5.2.1 The primary aim of a reward strategy is to attract and retain suitably skilled employees so that the Council can perform at its best. The biggest challenge for the Council in the current circumstances is to maximise productivity and efficiency within current resources. The Pay Policy Statement is therefore a matter of striking an often difficult balance between setting appropriate remuneration levels which will facilitate a sufficient supply of appropriately skilled individuals to fill the Council's wide range of roles and ensuring that the burden on the taxpayer and a financially challenged organisation does not become greater than can be fully and objectively justified.



- 5.2.2 In this context, it does need to be recognised that, in particular, remuneration levels need to enable the Council to attract a suitably wide pool of talent from which to recruit, often when in competition with other public and private sector employers from outside, as well as within, Wales. Remuneration levels are also important in retaining suitably skilled and qualified individuals once in post. The Council recognises that pay is not the only means of rewarding and supporting employees and offers a wider range of benefits, including flexible working arrangements, access to learning and development, an annual leave purchase scheme, a staff benefits scheme and an Employee Assistance Programme, etc.
- 5.2.3 The Council's Workforce Strategy 2021-2026 will consider pay and reward under the broader themes of this Strategy.
- 5.2.4 In addition, the Council is a major employer in the area and as such it must have regard to its role in the economic well-being of the people of Blaenau Gwent. The Council also has a role in setting standards on pay and conditions to other employers in the area for similar reasons.
- 5.2.5 In designing, developing and reviewing its Pay Policy Statement, the Council will seek to balance the above factors appropriately to maximise outcomes for the organisation and the community it serves, while managing pay costs and maintaining sufficient flexibility to meet future needs.

## 6. Pay Structure

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- 6.1 The Council uses the nationally negotiated pay spine referred to as the National Joint Council for Local Government Services (NJC) as the basis for its local grading structure. This determines the salaries of the large majority of the workforce.

The local pay and grading structure for employees employed under the National Joint Council for Local Government Services consists of 11 bands - Grades 1-11. A copy of the pay scales effective from 1 April 2023 is attached at appendix 1. The national pay negotiations for 2024/25 are ongoing at the time of writing this Policy.

- 6.2 In addition to the NJC arrangements referred to above, the Council recognises other nationally negotiated arrangements including the JNC for Chief Executives, Chief Officers and the Soulbury Agreement. The details of which are outlined in appendices 2 and 3. The national pay negotiations for staff under the Soulbury Agreement and the JNC for Chief Executives and Chief Officers for 2024/25 are ongoing at the time of writing this Policy.
- 6.3 In line with TUPE regulations some staff from merged organisations may retain their former employer's terms and conditions of service. Such arrangements would be outside of the Council's Collective Bargaining arrangements.
- 6.4 All other additional pay related allowances such as overtime, statutory holiday payments and standby are the subject of either nationally or locally negotiated rates, having been determined in accordance with collective bargaining and/or as determined by Council Policy.

- 6.5 All Council employees (with the exception of teachers) are entitled to join the local government pension scheme (LGPS). If employees are eligible they will automatically become a member of the scheme, however they can decide to opt out of the scheme. The benefits and contributions payable under the fund are set out in the LGPS regulations.
- 6.6 New appointments will normally be made at the minimum point of the relevant grade, although this can be varied where necessary due to business or market conditions to secure the best candidate.

## **7. Job Evaluation**

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- 7.1 Job evaluation is a systematic way of determining the value/worth of a job in relation to other jobs within an organisation. The remuneration for staff on NJC for Local Government Services terms and conditions is determined by an ongoing analytical job evaluation scheme. The scheme used is the Greater London Provincial Council scheme (GLPC).
- 7.2 The concept of equality was central to the Pay and Grading Structure and the changes to terms and conditions were subject to an Equality Impact Assessment (EIA) by Northgate as part of the Council's pay modelling and negotiations with the Trade Unions.
- 7.3 The Council commissioned an external specialist to carry out an independent equal pay audit in respect of the Council's workforce employed on NJC for Local Government Services terms and conditions as at 31 March 2023. The methodology for the audit was based on the Equality and Human Rights Commission guidance on equal pay auditing.

The analyses undertaken for this audit were:

- a. A comparison of the average basic annual salary of full-time equivalent (FTE) male and female employees by grade
- b. A comparison of the average total annual salary of FTE male and female employees by grade
- c. An analysis of selected additional payments to basic pay by gender

The audit examined differences of 5% or more, or any recurring differences of 3% or more as a general rule. In conclusion, the findings of the audit indicated that pay differences of men and women doing work rated as equivalent can be explained by material factors other than the sex of job holders and that disparate impact (i.e. disadvantage to one sex) would be capable of objective justification.

## **8. Honoraria and Secondment**

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- 8.1 There may be occasions when an employee is asked to act up into a post at a higher grade or undertake additional duties over and above that of their substantive post for a period of time. In such circumstances an additional payment may be granted in line with Council Policy. This Scheme is applicable for all employees.



## 9. Market Supplements

- 9.1 Job evaluation (this does not include officers on JNC terms and conditions) enables the Council to set appropriate remuneration levels based on internal job size relativities within the Council. However, from time to time it may be necessary to take account of the external pay market in order to attract and retain employees with particular experience, skills and capacity. In these circumstances a market supplement may be applied in line with Council Policy. In exceptional circumstances outside the policy, it will be a matter for Council's consideration.

## 10. Accountability and Decision Making

- 10.1 In accordance with the statutory requirements and the Constitution of the Council, policies relating to the recruitment, pay, terms and conditions of employees of the Council, except teachers, are the responsibility of the Council.

## 11. Chief Officer Remuneration

### 11.1 Definition of Chief Officer and Pay Levels

- 11.1.1 For the purposes of this statement, 'Chief Officers' are as defined within Section 43 of the Localism Act. The posts falling within the statutory definition are set out below. The pay and grading structure for these posts is attached at appendix 2.

Post	Range	Salary 2023/24	Comments
<ul style="list-style-type: none"> <li>Chief Executive</li> </ul>	JNC CE	£108,573 £111,245 £113,910 £116,571 £116,934	
<ul style="list-style-type: none"> <li>Corporate Director of Social Services</li> <li>Corporate Director of Education</li> <li>Corporate Director of Regeneration &amp; Community Services</li> </ul>	JNC CO	£88,395 £90,559 £92,718 £94,872 £97,032	
<ul style="list-style-type: none"> <li>Chief Officer – Commercial and Customer</li> <li>Chief Officer – Resources (Statutory 151 Officer)</li> </ul>	JNC 5	£78,825 £80,752 £82,672 £84,584 £86,507	
<ul style="list-style-type: none"> <li>Head of Adult Services</li> <li>Head of Children's Services</li> </ul>	JNC 5	£78,825 £80,752 £82,672 £84,584 £86,507	
<ul style="list-style-type: none"> <li>Head of Legal &amp; Corporate Compliance (Monitoring Officer)</li> <li>Head of School Improvement and Inclusion</li> <li>Head of Community Services</li> <li>Head of Regeneration &amp; Development</li> <li>Head of Governance &amp; Partnerships (Head of Democratic Services)</li> <li>Head of Organisational Development</li> </ul>	JNC 3	£68,955 £70,630 £72,308 £73,979 £75,650	

<ul style="list-style-type: none"> <li>• Service Manager Accountancy</li> </ul>	JNC 2	£62,475 £63,991 £65,500 £67,009 £68,522	
<ul style="list-style-type: none"> <li>• Service Manager Public Protection*</li> <li>• Service Manager Performance &amp; Democratic</li> <li>• Service Manager Policy &amp; Partnerships</li> <li>• Service Manager Commercial &amp; Business Development</li> <li>• Service Manager Customer Experience &amp; Transformation</li> <li>• Service Manager Revenues &amp; Charging Assessments</li> <li>• Service Manager Inclusion</li> <li>• Service Manager – Education Transformation and Business Change</li> <li>• Service Manager – Young People and Partnerships</li> </ul>	JNC 1	£55,997 £57,347 £58,700 £60,043 £61,393	*The Service Manager Public Protection is in receipt of annual honoraria payment of £7,131.24 in addition to normal salary.

11.1.2 The Council employs Chief Officers under JNC terms and conditions which are incorporated within their contracts. The JNC for Chief Executives and Chief Officers negotiates on national (UK) annual cost of living pay increases for this group and any award of the same is determined on this basis. Chief Officers employed under JNC terms and conditions are contractually entitled to any national JNC determined pay rises and this Council will therefore pay these as and when determined, in accordance with current contractual requirements. Any other proposal to determine or vary the remuneration of Chief Officers (or those to be appointed as Chief Officers) must be approved by Full Council.

11.1.3 The Local Government (Democracy) (Wales) Act 2013 provides an Independent Remuneration Panel for Wales (IRP) with powers to make recommendations in relation to any policy in an authority's Pay Policy Statement which relates to the salary of the Chief Executive, or any proposed change of salary of the Chief Executive.

The Council must therefore consult the IRP about any proposed changes to the salary of the Chief Executive (except one which is commensurate to a change affecting the authority's other staff more generally) and have regard to their recommendations. If the authority chooses not to follow the advice of the Panel it may become subject to a Ministerial direction to reconsider the position. The Act also allows authorities to reduce (but not increase) the salary payable to the Chief Executive in advance of a recommendation from the IRP, so long as the contract under which the salary is payable does not prevent the authority from changing the salary after receiving a recommendation.

The Welsh Local Government Association will notify the Independent Remuneration Panel of national pay awards on behalf of the Council.

11.1.4 No referrals have been made to the IRP during 2023/24.

11.1.5 In addition to agreeing the parameters for setting the pay of Chief Officers, Full Council will be given the opportunity to approve salary packages for any new posts that come within the scope of this Pay Policy Statement and as defined within the Act as being £100,000, or greater, per annum. For this purpose, salary packages will include salary, bonuses, fees, allowances routinely payable, any expenses/allowances chargeable to UK income tax, any other benefits in kind to which the officer is entitled as a result of their employment and any increase in or enhancement of the Chief Officer's pension entitlement where the increase or enhancement is as a result of a resolution of the Council.

11.1.6 No bonus or performance related pay mechanism is applicable to the Chief Executive or Chief Officers' pay; although an increment is awarded annually up to the maximum of the scale for the post.

## **11.2 Recruitment of Chief Officers**

11.2.1 The Council's policy and procedure in relation to the recruitment of Chief Officers is set out in the Council's Constitution. When recruiting to these posts the Council will take full and proper account of its commitment to equal opportunities. The determination of the remuneration to be offered to any newly appointed Chief Officer will be in accordance with the pay structure and relevant policies in place at the time of recruitment.

11.2.2 Where the proposed remuneration of a Chief Officer's post is £100,000 or greater, per annum it will be publicly advertised externally, as set out in the Local Authorities (Standing Orders) (Wales)(Amendment) Regulations 2014. There is however a facility within the regulations to make temporary appointments without the need to advertise externally.

Current arrangements for the Senior Leadership Team are as follows:

- Interim Chief Executive in place since March 2022
- Interim Corporate Director of Social Services in place since April 2022
- Interim Corporate Director of Education in place since May 2023
- The above are all internal employees and there are temporary backfill arrangements in place in the directorates.

## **11.3 Additions to Salary for Chief Officers**

11.3.1 The Council does not apply any bonuses or performance related pay to its Chief Officers.

11.3.2 The Council does pay all reasonable travel and subsistence expenses on production of receipts and in accordance with national and local conditions. The Council pays the HMRC recommended mileage rate of 45p per mile.

11.3.3 The Council has a statutory duty to appoint a Returning Officer for specified Elections and Referenda. The Head of Legal & Compliance (Monitoring Officer) undertakes this role and is paid for discharging these functions in accordance with prescribed fees.

## 11.4 Payments on Termination for Chief Officers

11.4.1 The Council's approach to statutory and discretionary payments on termination of employment of Chief Officers (and all other employees), prior to reaching normal retirement age is set out within the following policies:

- Retirement Policy (appendix 5)
- Local Government Pension Scheme Regulations 2013 Statement Of Policy - Exercise Of Discretionary Functions (appendix 6)
- Redundancy Policy (appendix 7)
- In the Interests of the Efficiency of the Service Policy (appendix 8)

In line with Council's agreed Redundancy Policy, redundancy payments are based on actual weekly earnings (up to the maximum spinal column point 46 £1,049.37 per week as at 1 April 2023). Staff who do not have access to their Pension will receive a redundancy payment based on the statutory calculator multiplied by 2 up to a maximum of 60 weeks. Those who are able to access their pension will receive a redundancy payment based on the statutory calculator up to a maximum of 30 weeks and will have immediate access to unreduced payment of their LGPS benefits.

The Council does not increase the total membership of active members of the pension scheme or award additional pension.

11.4.2 Where Chief Officers (definition in section 11.1.1) are terminated and are recommended to receive severance payments, of £100,000 or greater, the business case for this must go to Full Council for approval. Council Members must be made aware of any statutory or contractual entitlements due to the employee and the consequences of a non-approval by Council. The following components of a severance package will be included when determining whether the package exceeds £100,000:

- Salary paid in lieu
- Lump sum redundancy/severance payment and
- Cost to the authority of the strain on the pension fund arising from providing early access to an unreduced pension.

11.4.3 Decisions relating to any other payments falling outside the provisions or the relevant periods of contractual notice will be taken by those officers and Members authorised to do so by the Council's Constitution.

## 12. Re-Employment of Staff

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12.1 Staff who have left the employment of the Council by means of a voluntary redundancy or a voluntary severance which included a financial package, will not usually be re-employed or re-engaged in any way (i.e. by way of agency or consultancy). In exceptional cases only and where there has been a break of more than two years, re-engagement will be subject to CLT approval on the basis of a report outlining a critical business case. In cases that concern the Chief Executive, Directors or Chief Officers, Full Council approval will be required.

## **13. Remuneration at the Lowest Level**

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- 13.1 The lowest paid employees under a contract of employment with the Council are employed on full time (37 hours) equivalent salaries in accordance with the minimum spinal column point currently in use within Grade 1 of the Council's grading structure. As at 1 April 2023, with the deletion of the bottom point of the pay spine, spinal column point 2 is now the minimum point with an hourly rate of £11.59 per hour (pending the pay award for 2024/25).
- 13.2 The Council runs an apprenticeship scheme and payments are made in line with the shared apprenticeship scheme.
- 13.3 The relationship between the rate of pay for the lowest paid and Chief Officers is determined by the processes used for determining pay and grading structures as set out earlier in this Pay Policy Statement.

## **14. The Real Living Wage**

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- 14.1 The Council agreed to implement the Real Living Wage with effect from 1 April 2018 and guaranteed that no member of staff in the Council will earn less than the Real Living Wage. The Real Living Wage is independently calculated each year by the Resolution Foundation and overseen by the Living Wage Commission. By paying the Real Living Wage employers are voluntarily ensuring that their employees can earn a wage which is enough to live on as determined by the Living Wage Foundation.
- 14.2 The Real Living Wage rate of £12.00 per hour will be implemented in line with the 2024/25 pay award and will be effective from 1 April 2024. This will be reviewed on an annual basis to ensure that no member of staff in the Council will earn less than the Real Living Wage.

## **15. Off Payroll Working in the Public Sector - IR35 Intermediaries Legislation**

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- 15.1 The Intermediaries Legislation ensures that individuals who work through their own or even another personal service company (PSC) pay employment taxes in a similar way to an organisation's own employees. This is relevant to those individuals providing services to the Council who if they were not engaged through a personal service company (PSC) or other intermediary would be employed by the Council directly.
- 15.2 This new measure, "Off-payroll working in the public sector" moves responsibility to the Council for deciding if the off-payroll rules for engagements in the public sector apply. This measure makes the Authority responsible for deducting and paying associated employment taxes and National Insurance Contributions (NICs) to HM Revenue and Customs (HMRC).

## 16. Pay Relativities within the Council

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16.1 The statutory guidance under the Localism Act recommends the use of pay multiples as a means of measuring the relationship between pay rates across the workforce and that of senior managers, as included within the Hutton Report 'Review of Fair Pay in the Public Sector' (2011). The Hutton Report explored the case for a fixed limit on dispersion of pay through a requirement that no public sector manager can earn more than 20 times the lowest paid person in the organisation. The report concluded that the relationship to median earnings was a more relevant measure and the Government's Code of Recommended Practice on Data Transparency recommends the publication of the ratio between the highest paid salary and the median average salary of the whole of the Council's workforce.

16.2 The multiples of pay for Blaenau Gwent which will be published annually are set out below:

	2023/24	2024/25
The multiple between the lowest paid full time equivalent employee and the Chief Executive	1:5.31	1:5.09
The multiple between the lowest paid full time equivalent employee and average Chief Officer	1:3.52	1:3.31
The multiple between the median full time equivalent earnings (excluding teachers) and the Chief Executive	1:4.23	1:4.17
The multiple between the median full time equivalent earnings (excluding teachers) and average Chief Officer	1:2.81	1:2.71

## 17. Gender Pay Gap

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17.1 We are an employer required by law to carry out Gender Pay Reporting under the Equality Act 2010 (Gender Pay Gap Information) Regulations 2017.

17.2 The gender pay gap is an equality measure that shows the difference in average earnings between women and men.

17.3 The UK gender pay gap for all employees is 14.3% (2023).

17.4 At the Council we are confident that men and women are paid equally for doing equivalent jobs across the business. The gender pay gap shows that the workforce is predominantly female with women occupying a high percentage of jobs across all four pay quartiles. The pay gap in Blaenau Gwent continues to be significantly lower than the national average.

### Gender Pay Gap Report – 31 March 2023

#### Hourly Rate – Gender Pay Gap

Women's Hourly Rate is:	1.35% Lower (mean)	0.00% Lower (median)
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## Pay Quartiles – Gender Pay Gap

How many men and women are in each of the quartiles:

	Men	Women
Upper Quartile:	29%	71%
Upper Middle Quartile:	30%	70%
Lower Middle Quartile:	35%	65%
Lower Quartile:	22%	78%

## 18. Publication

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- 18.1 Upon approval by Full Council, this statement will be published on the Council's Website.
- 18.2 The Council's Annual Statement of Accounts contributes to the transparency on Council spend as it includes information on posts where the full-time equivalent salary is at least £60,000.

## 19. Review of the Policy

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- 19.1 This Policy outlines the current position in respect of pay and reward within the Council and it will be reviewed to ensure that it meets the principles of fairness, equality, accountability and value for money for the citizens of Blaenau Gwent. The Policy will be reviewed at least annually and reported to Full Council for approval in line with statutory requirements.



**Blaenau Gwent County Borough Council Pay and Grading**  
**NJC Local Government Services - 1st April 2023**

<b>Grade</b>	<b>SCP</b>	<b>Salary</b>	<b>Weekly</b>	<b>Monthly</b>	<b>Hrly rate</b>
1	2	£22,366	£428.94	£1,863.83	£11.59
2	2	£22,366	£428.94	£1,863.83	£11.59
	3	£22,737	£436.05	£1,894.75	£11.79
3	4	£23,114	£443.28	£1,926.17	£11.98
	5	£23,500	£450.68	£1,958.33	£12.18
	6	£23,893	£458.22	£1,991.08	£12.38
4	7	£24,294	£465.91	£2,024.50	£12.59
	8	£24,702	£473.74	£2,058.50	£12.80
	9	£25,119	£481.73	£2,093.25	£13.02
	10	£25,545	£489.90	£2,128.75	£13.24
	11	£25,979	£498.23	£2,164.92	£13.47
5	12	£26,421	£506.70	£2,201.75	£13.69
	14	£27,334	£524.21	£2,277.83	£14.17
	15	£27,803	£533.21	£2,316.92	£14.41
	17	£28,770	£551.75	£2,397.50	£14.91
	18	£29,269	£561.32	£2,439.08	£15.17
6	19	£29,777	£571.07	£2,481.42	£15.43
	20	£30,296	£581.02	£2,524.67	£15.70
	21	£30,825	£591.16	£2,568.75	£15.98
	22	£31,364	£601.50	£2,613.67	£16.26
	23	£32,076	£615.16	£2,673.00	£16.63
	24	£33,024	£633.34	£2,752.00	£17.12
	25	£33,945	£651.00	£2,828.75	£17.59
	26	£34,834	£668.05	£2,902.83	£18.06
7	26	£34,834	£668.05	£2,902.83	£18.06
	27	£35,745	£685.52	£2,978.75	£18.53
	28	£36,648	£702.84	£3,054.00	£19.00
	29	£37,336	£716.03	£3,111.33	£19.35
8	30	£38,223	£733.04	£3,185.25	£19.81
	30	£38,223	£733.04	£3,185.25	£19.81
	31	£39,186	£751.51	£3,265.50	£20.31
	32	£40,221	£771.36	£3,351.75	£20.85
	33	£41,418	£794.32	£3,451.50	£21.47
9	34	£42,403	£813.21	£3,533.58	£21.98
	34	£42,403	£813.21	£3,533.58	£21.98
	35	£43,421	£832.73	£3,618.42	£22.51
	36	£44,428	£852.04	£3,702.33	£23.03
	37	£45,441	£871.47	£3,786.75	£23.55
10	38	£46,464	£891.09	£3,872.00	£24.08
	39	£47,420	£909.42	£3,951.67	£24.58
	40	£48,474	£929.64	£4,039.50	£25.13
	41	£49,498	£949.28	£4,124.83	£25.66
11	42	£50,512	£968.72	£4,209.33	£26.18
	43	£51,515	£987.96	£4,292.92	£26.70
	44	£52,579	£1,008.36	£4,381.58	£27.25
	45	£53,654	£1,028.98	£4,471.17	£27.81
	46	£54,717	£1,049.37	£4,559.75	£28.36

From 1 April each year, a supplement is paid to any employees earning less than the current Real Living Wage

This document is also available in Welsh / Mae'r ddogfen hon hefyd ar gael yn Gymraeg



## Blaenau Gwent County Borough Council Pay and Grading

### JNC Chief Executive & Chief Officers - 1st April 2023

Grade	SCP	Salary	Weekly	Monthly	Hrly rate
Chief Executive	Min	£108,573	£2,082.22	£9,047.75	£56.28
	2nd	£111,245	£2,133.47	£9,270.42	£57.66
	3rd	£113,910	£2,184.58	£9,492.50	£59.04
	4th	£116,571	£2,235.61	£9,714.25	£60.42
	Max	£116,934	£2,242.57	£9,744.50	£60.61

Grade	SCP	Salary	Weekly	Monthly	Hrly rate
Chief Officer	Min	£88,395	£1,695.25	£7,366.25	£45.82
	2nd	£90,559	£1,736.75	£7,546.58	£46.94
	3rd	£92,718	£1,778.15	£7,726.50	£48.06
	4th	£94,872	£1,819.46	£7,906.00	£49.17
	Max	£97,032	£1,860.89	£8,086.00	£50.29

Grade	SCP	Salary	Weekly	Monthly	Hrly rate
JNC 1	Min	£55,997	£1,073.92	£4,666.42	£29.02
	2nd	£57,347	£1,099.81	£4,778.92	£29.72
	3rd	£58,700	£1,125.75	£4,891.67	£30.43
	4th	£60,043	£1,151.51	£5,003.58	£31.12
	Max	£61,393	£1,177.40	£5,116.08	£31.82
JNC 2	Min	£62,475	£1,198.15	£5,206.25	£32.38
	2nd	£63,991	£1,227.22	£5,332.58	£33.17
	3rd	£65,500	£1,256.16	£5,458.33	£33.95
	4th	£67,009	£1,285.10	£5,584.08	£34.73
	Max	£68,522	£1,314.12	£5,710.17	£35.52
JNC 3	Min	£68,955	£1,322.42	£5,746.25	£35.74
	2nd	£70,630	£1,354.55	£5,885.83	£36.61
	3rd	£72,308	£1,386.73	£6,025.67	£37.48
	4th	£73,979	£1,418.78	£6,164.92	£38.35
	Max	£75,650	£1,450.82	£6,304.17	£39.21
JNC 4	Min	£71,112	£1,363.79	£5,926.00	£36.86
	2nd	£72,845	£1,397.03	£6,070.42	£37.76
	3rd	£74,571	£1,430.13	£6,214.25	£38.65
	4th	£76,298	£1,463.25	£6,358.17	£39.55
	Max	£78,023	£1,496.33	£6,501.92	£40.44
JNC 5	Min	£78,825	£1,511.71	£6,568.75	£40.86
	2nd	£80,752	£1,548.67	£6,729.33	£41.86
	3rd	£82,672	£1,585.49	£6,889.33	£42.85
	4th	£84,584	£1,622.16	£7,048.67	£43.84
	Max	£86,507	£1,659.04	£7,208.92	£44.84

This document is also available in Welsh / Mae'r ddogfen hon hefyd ar gael yn Gymraeg

# Soulbury Pay Agreement

## Educational Improvement Professionals

SCP	01.09.21	01.09.22	01.09.23
1	37056	38981	40540
2	38383	40308	41920
3	39637	41562	43224
4	40907	42832	44545
5	42168	44093	45857
6	43431	45356	47170
7	44758	46683	48550
8	46035*	47960*	49878*
9	47522	49447	51425
10	48849	50774	52805
11	50158	52083	54166
12	51425	53350	55484
13	52860**	54785**	56976**
14	54140	56065	58308
15	55553	57478	59777
16	56831	58756	61106
17	58113	60038	62440
18	59371	61296	63748
19	60668	62593	65097
20	61338***	63263***	65794***
21	62626	64551	67133
22	63749	65674	68301
23	64985	66910	69586
24	66093	68018	70739
25	67278	69203	71971
26	68434	70359	73173
27	69616	71541	74403
28	70815	72740	75650
29	72016	73941	76899
30	73215	75140	78146
31	74404	76329	79382
32	75611	77536	80637
33	76819	78744	81894
34	78056	79981	83180
35	79291	81216	84465
36	80560	82485	85784
37	81809	83734	87083
38	83071	84996	88396
39	84316	86241	89691
40	85561	87486	90985
41	86811	88736	92285
42	88061	89986	93585
43	89309	91234	94883

44	90564	92489	96189
45	91815	93740	97490
46	93069	94994	98794
47	94327	96252	100102
48	95574	97499	101399
49	96825	98750	102700
50	98079	100004	104004
51			108164****
52			112491****

### Notes to Educational Improvement Professionals above

Salary scales to consist of not more than four consecutive points based on the duties and responsibilities attaching to posts and the need to recruit and motivate staff.

*\*normal minimum point for EIP undertaking the full range of duties at this level.*

*\*\*normal minimum point for senior EIP undertaking the full range of duties at this level.*

*\*\*\*normal minimum point for leading EIP undertaking the full range of duties at this level.*

*\*\*\*\*extension to range to accommodate structured professional assessments.*

- *Two additional points after SCP 50 with effect from **1 September 2023**.*

## **Young People's / Community Service Manager**

<b>SCP</b>	<b>01.09.21</b>	<b>01.09.22</b>	<b>01.09.23</b>
1	38433	40358	41972
2	39691	41616	43281
3	40947	42872	44587
4	42231*	44156*	45922*
5	43535	45460	47278
6	44807	46732	48601
7	46107**	48032**	49953**
8	47585	49510	51490
9	48400	50325	52338
10	49660	51585	53648
11	50912	52837	54950
12	52166	54091	56255
13	53412	55337	57550
14	54669	56594	58858
15	55928	57853	60167
16	57191	59116	61481
17	58460	60385	62800
18	59722	61647	64113
19	60976	62901	65417
20	62257***	64182***	66749***
21	63562***	65487***	68106***
22	64898***	66823***	69496***
23	66260***	68185***	70912***
24	67650***	69575***	72358***

### **Notes to Young People's / Community Service Manager above**

The minimum Youth and Community Service Officers' scale is 4 points.

Other salary scales to consist of not more than four consecutive points based on duties and responsibilities attaching to posts and the need to recruit retain and motivate staff.

*\*normal minimum point for senior youth and community service officers undertaking the full range of duties at this level (see paragraph 5.6 of the Soulbury Report).*

*\*\*normal minimum point for principal youth and community service officer undertaking the full range of duties at this level (see paragraph 5.8 of the Soulbury Report).*

*\*\*\*extension to range to accommodate discretionary scale points and structured professional assessments.*



### **Trainee Educational Psychologists**

<b>SCP</b>	<b>01.09.21</b>	<b>01.09.22</b>	<b>01.09.23</b>
1	24970	26895	
2	26798	28723	29872
3	28623	30548	31770
4	30453	32378	33673
5	32279	34204	35572
6	34107	36032	37473

- *SCP 1 is deleted with SCP 2 the first point of the scale with effect from 1 September 2023.*

### **Assistant Educational Psychologists**

<b>SCP</b>	<b>01.09.21</b>	<b>01.09.22</b>	<b>01.09.23</b>
1	30694	32619	
2	31948	33873	35228
3	33201	35126	36531
4	34448	36373	37828
5			39341

- *SCP 1 is deleted with SCP 2 the first point of the scale with effect from 1 September 2023*
- *An additional point after SCP 4 with effect from 1 September 2023.*

### **Educational Psychologists - Scale A**

<b>SCP</b>	<b>01.09.21</b>	<b>01.09.22</b>	<b>01.09.23</b>
1	38865	40790	42422
2	40838	42763	44474
3	42811	44736	46525
4	44782	46707	48575
5	46755	48680	50627
6	48727	50652	52678
7	50584	52509	54609
8	52440	54365	56540
9	54179	56104	58348
10	55921	57846	60160
11	57544	59469	61848
12			62540*
13			63836*
14			65120*

### **Notes to Educational Psychologists - Scale A above**

Salary scales to consist of six consecutive points based on the duties and responsibilities attaching to posts and the need to recruit retain and motivate staff.

*\*Extension to scale to accommodate structured professional assessment points.*

- *Three additional SCPs after point 11 with effect from 1 September 2023*
- *The SCPs added indicate the addition of three pay ranges to the current ranges, namely: A1 – 6, A2 – 7, A3 – 8, A4 – 9, A5 – 10 and A6 – 11*

SPA points will not be conflated with range points. This allows those local authorities with recruitment and retention challenges and which have the budgetary flexibility, the option to utilise that additional headroom.

### **Senior and Principal Educational Psychologists**

<b>SCP</b>	<b>01.09.21</b>	<b>01.09.22</b>	<b>01.09.23</b>
1	48727	50652	52678
2	50584	52509	54609
3	52440*	54365*	56540
4	54179	56104	58348
5	55921	57846	60160
6	57544	59469	61848*
7	58210	60135	62540
8	59456	61381	63836
9	60690	62615	65120
10	61945	63870	66425
11	63177	65102	67706
12	64431	66356	69010
13	65707	67632	70337
14	66941**	68866**	71621
15	68235**	70160**	72966
16	69514**	71439**	74297
17	70803**	72728**	75637**
18	72090**	74015**	76976**
19			80055**
20			83257**
21			86587**

### **Notes to Senior and Principal Educational Psychologists above**

Salary scales to consist of not more than four consecutive points based on the duties and responsibilities attaching to posts and the need to recruit retain and motivate staff.

*\*Normal minimum point for the principal educational psychologist undertaking the full range of duties at this level.*

*\*\*Extension to range to accommodate discretionary scale points and structured professional assessments*

- *Three additional SCPs after point 18 with effect from 1 September 2023.*



# **Retirement Options Policy**

## **(Local Government Pension Scheme only)**



**ORGANISATIONAL DEVELOPMENT DIVISION**

Issued: November 2017    Review: August 2022

# Version Control

This document is intended for:

- Council staff only    School-based staff only    Council & School-based staff

Version	Key Changes	Approved By
Mar 2020	Reformatted Only	DMT

This document may be reviewed and amended at any time and without consultation in response to legal requirements, in line with best practice or in response to an organisational requirement and where the changes do not affect the spirit or intent of the document.

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# 1. Policy Statement

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Retirement is an important step in a person's life; Blaenau Gwent is committed to ensuring that the transition from work to retirement is as smooth as possible for its employees.

## 2. Purpose

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The purpose of this policy and procedure is to lay down the principles and practices that will govern Blaenau Gwent's approach to employee retirements.

Blaenau Gwent recognises the contributions of a diverse workforce, including the skills and experience of older employees. It believes that employees should, wherever possible, be permitted to continue working for as long as they wish to do so.

The intention of the policy is to promote equality and fairness and to give managers and employees, where possible, the flexibility to plan retirements.

## 3. Scope

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This policy has been developed in line with the Employment Equality (Age) Regulations 2006, which came into force on 1 October 2006, and the Local Government Pension Scheme Changes 2014. It also reflects the changes following the abolition of the default retirement age with effect from 1 October 2011.

These provisions apply to all Blaenau Gwent employees with the exception of teaching staff. Any reference to pension entitlements will only apply to individuals who participate in the Local Government Pension Scheme (LGPS).

## 4. Advice to Employees considering their Retirement Options

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### A. Retirement (From National Pension Age (NPA))

With effect from 1 October 2011, the Default Retirement Age has been removed and employees will no longer have a contractual retirement date of age 65.

An employee can now choose to retire from at any time between age 55 and 75 and receive their pension benefits immediately, although there may be a reduction in the benefits if payment is taken before your NPA, as it's being paid earlier. If you take it later than your NPA it's increased because it's being paid later.

Your Normal Pension Age (NPA) is simply the age when you can retire and take the pension you have built up in full – for the pension built up from 1 April 2014 your NPA is the same as your State Pension Age (but with minimum of age 65).

Employees who have contributed to the pension scheme will be entitled to a lump sum and an annual pension upon retirement, and they can take up the option to convert an element of their annual pension into a tax-free lump sum. At state retirement age employees will receive the basic flat-rate state pension if sufficient National Insurance contributions have been paid.

If an employee wishes to work after NPA they will continue paying into the LGPS, building up further benefits. They can receive their pension when they retire or reach the eve of their 75<sup>th</sup> birthday, whichever comes first. If the employee retires at or after NPA they can, if they wish, defer drawing their pension but must draw it before age 75. An employee will continue to accrue pension benefits if they continue working beyond NPA and the pension will be uplifted in line with regulations.

### B. Current Transitional Protection Arrangements

The 85 year rule, which allowed members to retire before the age of 65 with unreduced benefits provided their age and membership added up to 85 was removed with effect from 1 October 2006.

However there are currently transitional protection arrangements in place for employees who were members of the LGPS prior to this date. The following table will help you work out your general position in relation to the 85 year rule, however, you should be aware that the rules governing how the 85 year rule protection applies, and the level of that protection, are quite complex.



If you would not satisfy the 85 year rule by the time you are 65	All your benefits are reduced if you choose to draw your pension before your Normal Pension Age. The reduction will be based on how many years before your Normal Retirement Age (protected Normal Pension Age for pension built up before 1 April 2014) and new Normal Pension Age (linked to State Pension Age) for pension built up from 1 April 2014) you draw your benefits.
If you will be age 60 or over by 31 March 2016 and choose to draw your pension before your Normal Pension Age	Provided you satisfy the 85 year rule when you start to draw your pension, the benefits you build up to 31 March 2016 will not be reduced.
If you will be under age 60 by 31 March 2016 and choose to draw your pension before your protected Normal Pension Age	Provided you satisfy the 85 year rule when you start to draw your pension, the benefits you've built up to 31 March 2008 will not be reduced.
If you will be aged 60 between 1 April 2016 and 31 March 2020 and meet the 85 year rule by 31 March 2020	Some or all of the benefits you build up between 1 April 2008 and 31 March 2020 will not have a full reduction.

### **C. Workforce Planning**

With the removal of the default retirement age (Age 65), it is important that the Authority is in a position to plan its workforce requirements to meet future business needs.

The Authority encourages its managers to hold regular workplace discussions with all employees to discuss performance, development and training needs. The discussions also need to include both the Authority's and the employee's future plans and expectations. This will be an opportunity for employees to discuss any future plans or proposals for retirement and in turn allow the manager to plan for such an event.

Organisational Development are able to provide advice and support to managers to assist in workforce planning for their service area as a whole. Further information and advice can be provided by our Organisational Development Advisor.

## 5. Flexible Retirement - Regulation 35

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The Authority relies upon the knowledge and skills of its employees. A flexible approach to retirement may mean that those employees who would otherwise retire completely can choose to explore other options which can benefit both the employee and the Authority. The Authority is actively promoting Work Life Balance options and managers will take this into consideration when considering any application for flexible retirement.

### A. Eligibility

Employees can apply for flexible retirement from age 55 years onwards, (providing you have met the 2 year vesting period in the scheme).

### B. Options

There are a number of flexible retirement options available as follows:

- working flexible hours leading up to retirement;
- retiring and returning to work part time in current post; or
- full-time/part time in a lower graded post with reduced responsibilities (assuming a suitable position is available).

### C. Pension Implications

An employee reducing their hours or moving to a less senior position at or after age 55 can, provided there is a business case to support this, draw some or all of the benefits accrued, to help ease him/her into retirement, although the benefits may be reduced for early payment. The employer however has the discretion to waive the reduction in whole or in part.

Employees can continue paying into the LGPS on their reduced hours or in the new role, building up further benefits in the scheme up to the eve of their 75<sup>th</sup> birthday.

### D. Conditions of Service

An employee's terms and conditions of service will remain unchanged as there is continuity of employment i.e. holidays, occupational sick pay, etc.

- Where an employee receives pension and returns to the Authority in a lower graded post the appointment will be made on the first point of the new scale.
- Where an employee returns to the Authority in the same role on reduced hours the salary point will remain unchanged, however the salary, holidays, etc will be pro-rata to the number of hours agreed in the application.

## **E. Application**

Applications must be made using the Flexible Retirement Request Form, identifying the preferred flexible retirement option. This must be made to the appropriate officer who is their respective line manager/service manager and copied to the Organisational Development Division.

## **F. Procedure**

- On receipt of the Flexible Retirement Request Form the financial implications in relation to the early release of the pension will be considered along with any service delivery issues by the directorate to ensure that:
  - there is no detrimental effect on service delivery
  - any flexible working arrangements are fair and equitable to all employees in the team
  - any flexible working arrangement is reviewed to ensure its effectiveness on both sides
  - there is a viable business case to present to the Early Retirement Panel for approval
- The Early Retirement Panel will review the business case and make a decision whether the flexible retirement is a viable option for the Authority. Once considered at the Early Retirement Panel, the employee and their line manager/service manager will be notified of the outcome.
- If the application is successful, agreement will be reached with the employee and their line manager/service manager regarding the start date and review date for the new arrangements.
- If the application is unsuccessful, the employee will be provided with an explanation why the request has been denied. The decision of the Panel is final and there is no right of appeal.

**If an employee is interested in pursuing flexible retirement, they can contact the Organisational Development Division for more details.**

## 6. Other Policies/Guidelines

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These provisions should be applied in accordance with other Blaenau Gwent Policies with particular reference to the following:

- Worklife Balance Policies
- Recruitment and Selection Charter
- In the Interest in Efficiency of the Service Policy
- Redundancy Policy
- Attendance Management Policy

## 7. Further Information

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Further information, copies of appropriate forms and guidance can be obtained from:

### **Organisational Development Division**

Municipal Offices, Civic Centre, Ebbw Vale, NP23 6XB

**Tel:** (01495) 355008

**Fax:** (01495) 355787

**E-mail:** [hr.division@blaenau-gwent.gov.uk](mailto:hr.division@blaenau-gwent.gov.uk)

### **Resources Division**

Municipal Offices, Civic Centre, Ebbw Vale, NP23 6XB

**Contact:** **Loren Cosh– Pensions and Technical Officer**

**Tel:** (01495) 355170

**Fax:** (01495) 356133

**E-mail:** [loren.cosh@blaenau-gwent.gov.uk](mailto:loren.cosh@blaenau-gwent.gov.uk)

### **Torfaen Pension Scheme Administrators**

Torfaen County Borough Council, Civic Centre, Pontypool, NP4 6YB

**Tel:** (01495) 766266

**Fax:** (01495) 766275

**E-mail:** [pensions@torfaen.gov.uk](mailto:pensions@torfaen.gov.uk)

# Retirement Options

## Frequently Asked Questions



### **Q How much notice will I have to give if I want to retire?**

You will need to give sufficient notice of your intention to retire to assist the Authority in planning its workforce requirements. In cases where employer consent is required, the retirement will need to be approved by an early retirement panel, so appropriate notice would be required to ensure that up to date retirement figures can be requested, a report created and approved within this timescale.

The Authority encourages its managers to hold regular workplace discussions with staff, and this will also be an opportunity to discuss any proposals for retirement and to allow your manager to plan for such an event.

### **Q I am 56 years of age, can I retire?**

It is possible to retire from the age of 55 and receive benefits immediately although these benefits will be reduced due to them being paid for a longer period of time. The earliest age that you could access your pension in full, would be your NPA, before this you may suffer a reduction in your benefits for early payment, depending on your service.

### **Q I have been unwell recently; can I finish on Ill Health?**

In line with the Attendance Management policy, the Authority will make a decision in relation to the grounds for termination of your employment. Following this you will need to be assessed by an Independent Registered Medical Practitioner and satisfy the criteria to qualify for the release of your pension, i.e. "you must be incapable of undertaking your current role until the age of 65".

For further information in relation to termination of employment on the grounds of ill health please contact the Organisational Development Division.

### **Q I am 52 and would like to retire, what do I need to do?**

In line with the pension regulations, employees would not receive release of their pension benefits before the age of 55. If you wanted to finish work you would have to voluntarily resign and your pension contributions would be frozen until such time that you are eligible to draw upon them. The earliest age you can draw your pension if you no longer work for the authority is age 55 providing you have paid pension contributions from 1 April 2014 onwards. If you left the pension scheme prior to 1 April 2014 your earliest retirement date will be your NPA, although there may be a reduction in your pension for early payment.

If you were made redundant, then you would receive the relevant redundancy payment, and any pension contributions would be frozen until you reach pensionable age.

**Q Can I just retire when I want to? Will my age impact on my benefits?**

An employee's pension can be released from the age of 55. Any retirements before the age of 60 are known as Regulation 31. As part of the request for retirement the Authority will need to consider the financial implications (if any) in relation to the early release of your pension. It is necessary for the retirement to be considered at a Retirement Panel, the panel will review the business case and make a decision on the retirement.

You can also choose to retire from age 55 and receive pension benefits immediately, although there may be a reduction in the pension for early payment if full service hasn't been achieved.

If you continue to work after NPA, you will continue to pay into the LGPS, building up further benefits. You will receive your pension when you retire or reach the eve of your 75<sup>th</sup> birthday, whichever come first.

**Q I'm not ready to retire completely, what are my options?**

If you are over the age of 55 there are a number of flexible retirement options available, such as working flexible hours, reduced hours or undertaking a lower graded post with reduced responsibilities, assuming there is a suitable position available.

Provided there is a viable business case to support your request, you can draw some or all of the benefits you have built up, although the benefits may be reduced for early payment. Again, a report would need to be considered by the Early Retirement Panel to ensure there is a viable business case before the request is approved, so sufficient notice would be required.

**Q I'm approaching age 65, but don't want to retire.**

The default retirement age was abolished from 1 October 2011, and there is no longer a contractual retirement age, therefore you will not need to submit a request to work beyond age 65. It is anticipated that you would have communicated your intentions to continue working to your manager during ongoing workplace discussions.

If you work beyond age 65 you will continue to pay into the Local Government Pension Scheme and build up further benefits. Your pension will be released when you retire or reach the eve of your 75<sup>th</sup> birthday, whichever comes first.

# Flexible Retirement Request Form



**PLEASE COMPLETE FORM AND RETURN TO YOUR LINE MANAGER**

Name:

Address:

Staff Number:

Directorate:

Division/Section:

Post Title:

National Insurance Number:

Date Of Birth:

Current Pattern Of Work:

Proposed Flexible Working Option:

Employee's Signature:

Date:



# Local Government Pension Scheme Regulations 2013

## Statement Of Policy - Exercise Of Discretionary Functions





The Local Government Pension Scheme (LGPS) 2014 effective from 1 April 2014 introduces or amends a number of discretionary elements over which the Council as the employing body can exercise its discretion.

These policy discretions are, where appropriate, as close to the discretions previously applied by the Council and have been the subject of consultation with the trades unions.

In accordance with Regulation 60 of the above regulations the Council must formulate, approve, publish and keep under review changes to the Council's Policy in relation to the exercise of its employer discretions under regulations:

- 16(2)(e) and 16(4)(d) (funding of additional pension);
- 30(6) (flexible retirement);
- 30(8) (waiving of actuarial reduction); and
- 31 (award of additional pension).

In addition and in accordance with Paragraphs 2(2) of Schedule 2 to the Local Government Pension Scheme (Transitional Provisions, Savings & Amendment) Regulations 2014 the Council must also prepare a written statement on whether, in respect of benefits relating to pre 1 April 2014 membership, to 'switch on' the 85 year rule for a member who voluntarily retires (leaves employment) and elects to draw their benefits on or after the age of 55 and before the age of 60 thereby agreeing to waive in full or part any actuarial reduction applied to the member's benefits.

The Council is required to send a copy of this Statement to the Pensions Administering Authority by no later than 30 June 2014 and publish it in a place that is easily accessible to all of its eligible scheme employees. There is also the requirement to keep this Policy Statement under review and make such revisions as are appropriate following a change of policy.

Where a revision is made a copy of the revised statement must be supplied to the Pension Administering Authority before the expiry of one month beginning with the date that any such revision is made. The Council must also publish its revised statement ensuring that it is equally accessible.

In preparing, or reviewing and making revisions to its statement, the Council must have regard to the extent to which the exercise of its discretionary powers, unless properly limited, could lead to a serious loss of confidence in the public service.

This document outlines Blaenau Gwent County Borough Council's policy on the employer discretions specified in LGPS 2014, effective from 1 April 2014.

## **PART A – Formulation of COMPULSORY policy in accordance with Regulation 60 of the Local Government Pension Scheme Regulations 2013**

### **Regulation 16 – Additional Pension Contributions**

Where an active Scheme member wishes to purchase extra annual pension of up to £6,500\* (figure at 1 April 2014) by making Additional Pension Contributions (APCs), the employer can choose to (voluntarily) contribute towards the cost of purchasing that extra pension via a Shared Cost Additional Pension Contribution (SCAPC).

The Scheme employer may resolve to fund in whole or in part any arrangement entered into by an active scheme member to pay additional pension contributions by way of regular contributions in accordance with *Regulation 16(2)(e)*, or by way of a lump sum in accordance with *Regulation 16(4)(d)*.

The Scheme employer may enter into an APC contract with a Scheme member who is contributing to the MAIN section of the Scheme in order to purchase additional pension of not more than the additional pension limit (£6,500 from 1 April 2014 subject to annual increase in line with the Pensions (Increase) Act 1971). The amount of additional contribution to be paid is determined by reference to actuarial guidance issued by the Secretary of State.

### **Blaenau Gwent County Borough Council’s policy concerning the whole or part funding of an active member’s additional pension contributions - Regulation 16(2)(e) and 16(4)(d)**

**The Council’s policy is not to establish a Shared Cost Additional Pension Contribution Scheme for its employees either on the basis of regular ongoing contribution or by a one off lump sum. This would be a cost pressure and as such the Council will not exercise this discretion on the basis of affordability.**

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### **Regulation 30(6) – Flexible Retirement**

An active member who has attained the age of 55 or over and who with the agreement of their employer reduces their working hours or grade of employment may, with the further consent of their employer, elect to receive immediate payment of all or part of the retirement pension to which they would be entitled in respect of that employment as if that member were no longer an employee in local government service on the date of the reduction in hours or grade (*adjusted by the amount shown as appropriate in actuarial guidance issued by the Secretary of State – separate policy required under Regulation 30(8)*).

As part of the policy making decision the Scheme employer must consider whether, in addition to the benefits the member may have accrued prior to 1 April 2008 (which the member must draw), to permit the member to choose to draw all, part or none of the pension benefits they built up after 31 March 2008 and before 1 April 2014 and all, part or none of the pension benefits they built up after 1 April 2014.

Due consideration must be given to the financial implications of allowing an employee to draw all or part of their pension benefits earlier than their normal retirement age.

### **Blaenau Gwent County Borough Council’s policy concerning flexible retirement**

**The Council currently has a policy in place to consider applications for Flexible Retirement which is linked to the Council’s policies on retirement and flexible working. The Authority relies upon the knowledge and skills of its employees and as such this policy provides the opportunity for retaining skills and experience as part of a transition towards retirement.**

**Flexible Retirement allows scheme members age 55 and over to apply to transfer to a lower graded post or to reduce hours of employment and at the same time access their retirement benefits. Both the transfer to a lower graded post or reduction in hours of work and the early release of retirement benefits is an employer discretion.**

**The Council currently operates a Flexible Retirement Scheme and as such this arrangement will continue. The business case in respect of a flexible retirement request will be considered at the Council's Early Leavers Panel.**

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### **Regulation 30(8) – Waiving of Actuarial Reduction**

Where a Scheme employer's policy is to consent to the immediate release of benefits in respect of an active member who is aged 55 or over, those benefits must be adjusted by an amount shown as appropriate in actuarial guidance issued by the Secretary of State (commonly referred to as actuarial reduction or early payment reduction).

A scheme employer (or former employer as the case may be) may agree to waive in whole or in part and at their own cost, any actuarial reduction that may be required by the Scheme Regulations.

Due consideration must be given to the financial implications of agreeing to waive in whole or in part any actuarial reduction.

### **Blaenau Gwent County Borough Council's policy concerning the waiving of actuarial reduction**

**The business case in respect of Early Retirements will be considered in line with the terms of reference of the Council's Early Leavers Panel. Waiving of actuarial reduction protections in such cases will not normally be considered. Only in exceptional circumstances where there is a clear financial or operational advantage for the Authority in so doing or on compassionate grounds would this be considered. This would require authorisation by the Chief Finance Officer and the Head of Organisational Development or their nominated representative.**

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### **Regulation 31 – Award of Additional Pension**

A Scheme employer may resolve to award

(a) an active member, or

(b) a member who was an active member but dismissed by reason of redundancy, or business efficiency, or whose employment was terminated by mutual consent on grounds of business efficiency,

additional annual pension of, in total (including any additional pension purchased by the Scheme employer under Regulation 16), not more than the additional pension limit (£6,500 from 1 April 2014 subject to annual increase in line with the Pensions (Increase) Act 1971).

Any additional pension awarded is payable from the same date as any pension payable under other provisions of the Scheme Regulations from the account to which the additional pension is attached.

In the case of a member falling within sub-paragraph (b) above, the resolution to award additional pension must be made within 6 months of the date that the member's employment ended.

## **Blaenau Gwent County Borough Council's policy concerning the award of additional pension**

The Council's policy is not to fund additional pension at whole cost to the employer given the substantial costs associated with introducing an equitable scheme. This would be a cost pressure and as such the Council **will not exercise** this discretion on the basis of affordability.

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### **Local Government Pension Scheme (Transitional Provisions and Savings) Regulations 2014 Schedule 2 – paragraphs 2 and 3**

Where a scheme member retires or leaves employment and elects to draw their benefits at or after the age of 55 and before the age of 60 those benefits will be actuarially reduced unless their Scheme employer agrees to meet the full or part cost of those reductions as a result of the member otherwise being protected under the 85 year rule as set out in previous regulations.

So as to avoid the member suffering the full reduction to their benefits the Scheme employer can 'switch on' the 85 year rule protections thereby allowing the member to receive fully or partly unreduced benefits but subject to the Scheme employer paying a strain (capital) cost to the Pension Fund.

### **Blaenau Gwent County Borough Council's policy concerning the 'switching on' of the 85 year rule**

The business case in respect of early retirements will be considered in line with the terms of reference of the Council's Early Leavers Panel. 'Switching on' of the 85 year rule protections in such cases **will not normally be considered**. Only in **exceptional** circumstances where there is a clear financial or operational advantage for the Authority in so doing or on compassionate grounds would this be considered. This would require authorisation by the Chief Finance Officer and the Head of Organisational Development or their nominated representative.

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The discretions contained within this Policy Statement are applicable to all eligible members of the Scheme. The Scheme rules allow for a revised statement to be issued at least one month in advance of the date that any new policy takes effect.

The revised statement must be sent to the Pensions Administering Authority and published in a place that is accessible to all of its eligible scheme members.

The policies made above have regard to the extent to which the exercise of the discretions could lead to a serious loss of confidence in the public service and will be exercised reasonably and only used when there is a real and substantial future benefit to the Council for incurring the extra costs that may arise.

The Council retains the right to change this Policy Statement at any time and only the version which is current at the time a relevant event occurs to an employee will be the one applied to that employee.



# Redundancy Policy



**ORGANISATIONAL DEVELOPMENT DIVISION**

Issued: July 2023    Review: July 2024

# Version Control

This document is intended for:

- Council staff only    School-based staff only    Council & School-based staff

Version	Key Changes	Approved By
July 2020	Reformatted and EAP details added	DMT
July 2023	Reference to the Protection from Redundancy (Pregnancy and Family Leave) Act 2023 added	DMT

This document may be reviewed and amended at any time and without consultation in response to legal requirements or in response to an organisational requirement and where the changes do not reflect a fundamental change or affect the spirit or intent of the document.

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# 1. Policy Statement

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Blaenau Gwent Council is focused on continuous improvement in times of financial challenge and continues to be committed to providing job security for all employees however, the challenging financial situation that Local Government faces may impact on the staffing establishment of the Council.

In order to minimise the impact of reductions in staffing levels the following procedure will be adopted for all employees of the Council. In all circumstances the instigation of this policy will involve consultation and engagement with the trade unions.

In any redundancy situation the Council will ensure that the process is fair and equitable for all concerned and will ensure that all parties are consulted and communicated with at all stages of the process.

# 2. Scope of the Policy

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This policy will apply to all members of staff employed at Blaenau Gwent County Borough Council including all school based employees, Teachers and Headteachers **regardless of length of service or contract type**. The policy complies with all relevant legislation and works within the guidelines set out within the ACAS code of practise.

Governing bodies are not obliged to adopt this policy. In such cases where Governing Bodies choose to develop their own policy, legislation must be adhered to and full consultation must take place with all relevant Unions and Professional Associations. Should Governing bodies chose not to adopt this Policy any calculations over and above the agreed payments laid out in this document are to be funded from within the School budget.

It is important that School Governors understand their legal responsibilities for declaring a post(s) redundant and the protocols to be followed in relation to the Council's Corporate Redundancy Panel as the compensating body.

# 3. Definition of Redundancy

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Redundancy is defined in law as a dismissal for one of the following reasons:

- cessation of business;
- cessation of business at the employee's place of work;
- a reduction or cessation of work; and
- anticipation of a reduction or cessation of work.

In cases where the business or part of the business transfers to another provider, employees are not necessarily redundant and would normally transfer to another employer on their terms and conditions, commonly referred to as "TUPE" regulations (Transfer of Undertakings Protection of Employment).



In the case of schools, redundancy will usually occur because pupils numbers have fallen, resulting in budgetary reductions, which make support for the current level of staffing impossible. There may be other reasons from time to time, for example, a school closure.

**Statutory Framework:** the Schools Standards and Framework Act 1998 and the Staffing of Maintained Schools (Wales) Regulations 2006 refer to education legislation which reinforces the provision for School Governing Bodies to appoint and dismiss staff. The contract of employment however is between the Council and the employee for Community Schools. For Voluntary Aided Schools the contract of employment is between the Governing Body and the employee.

## 4. Measures to Avoid Redundancy

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Blaenau Gwent Council will consult with the Trade Unions with a view to establishing whether the proposed job losses can be achieved by means other than compulsory redundancies. Similarly Governors should always seek resolutions, which avoid the need for compulsory identification of a member of staff as being surplus to requirement at the school. Consideration will be given to the following alternative options, subject to the Council's immediate urgent operational considerations:

- natural wastage;
- restricting further recruitment of new staff other than where this is essential i.e. front line service;
- restricting the use of sub-contract temporary and casual staff, including termination where practical, of temporary or contract staff;
- reducing the amount of overtime working in the particular service;
- inviting applications for consideration for early retirement, flexible retirement and/or voluntary redundancy (crossmatching);
- requests to job share or part time working;
- redeploying individuals to alternative posts.

## 5. Notification to the Department for Business, Enterprise and Regulatory Reform

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It is a legal requirement to notify the Department for Business, Enterprise and Regulatory Reform (DBERR) in writing of a proposal to make 20 or more employees redundant within a 90 day period. The OD Division will coordinate this return.

Consultation will start at the earliest opportunity and within the statutory requirements. These are:

- 45 days if 100 or more employees are to be made redundant;
- 30 days for 20-99 employees; and
- for less than 20 employees no notification is required.



## 6. Consultation

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Employees and relevant recognised Trade Unions should be made aware of the proposals for organisational change, and the reasons, at the earliest opportunity. Failure to consult could result in a finding of unfair dismissal by an Employment Tribunal. Before starting any redundancy process, advice should be sought from Organisational Development. A flowchart detailing the consultation process is attached at [Appendix 3a](#).

In the case of Schools, as soon as a budgetary problem is identified, that could lead to a potential redundancy situation, the Headteacher should liaise with Schools Finance and the Organisational Development Teams. If after discussions there is an agreement that there is a redundancy situation, the Trade Unions must be informed and the consultation process commenced. Such action will ensure that the correct support, advice and guidance is provided throughout the process.

Employees have the right to be accompanied by a work colleague or their trade union representative at all stages of the process.

### **Timescales for Statutory Consultation**

There are minimum statutory timescales that indicate when formal consultation should begin. Where possible consultation should allow for further consideration of any counter-proposals and alternatives to redundancy:

- at least 45 days if 100 or more employees are to be made redundant; and
- at least 30 days for 20-99 employees.

The Council will consult with the Trade Unions even if it is proposed that only one employee who: a) belongs to a trade union or b) is affected by collective bargaining, will be made redundant. Consultation must include discussions on ways to:

- avoid or reduce redundancies;
- mitigate its consequences; and
- consider redeployment.

Staff will also receive information through the organisational and directorates staff communication/engagement framework.

### **Disclosure of Information**

The Council has a statutory duty to disclose in writing to the appropriate representatives the following information:

- the reasons for the proposed redundancies;
- the number and descriptions of employees whom it is proposed to dismiss; including agency staff who are contracted for more than 3 months work;
- total number of employees employed in the same place of work;
- the proposed method of selection;
- the proposed method of carrying out the dismissal taking into account any agreed procedure including timescales; and
- method of calculating redundancy payment.

School specific information regarding disclosure is detailed in the Schools Consultation Process ([Appendix 5](#)).

## 7. Selection

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Where the redundancy applies to a job held by one individual, the post would be redundant without the need for selection.

Where there are multiple redundancies or a reduction in posts within a group of employees the “pool” of employees from which the redundancies will be drawn must be defined. This might be one team within a Department, a group of employees doing the same job, usually working to the same or similar job description, or those performing a particular function across a number of departments, managers should seek advice from Organisational Development if the selection pool is not clear. [Appendix 2](#) details the grounds that will not be used as criteria when selecting staff for redundancy.

Consultation for employees on Maternity leave will also take place and further guidance on this should be sought from the OD Division.

### **Selection Criteria**

The criteria used for redundancy selection must be fair, clear, objective and non-discriminatory, precisely defined and capable of being applied in an independent way. The criteria must be applied fairly and consistently to all employees at Blaenau Gwent who have been identified as at risk.

If the Council is faced with making compulsory redundancies the selection criteria will be agreed with the trade unions. The criteria applied, will as far as possible, be measurable and supported by documentary evidence. The following list gives examples of the criteria that the organisation may apply.

- Attendance records; including Number of Occasions and Number of days
- Disciplinary records; (Agreed period of time)
- Capability
- Job Knowledge and Skills
- Flexibility
- Timekeeping (Discretionary)

Standard mandatory criteria will be used in all cases and additional discretionary criteria will be used where appropriate dependent on roles identified. The selection criteria will, in all cases, be agreed with the Departmental Manager and Trade Union representatives prior to any consultation meetings taking place. [Appendix 4a](#) details the compulsory and discretionary criteria.

### **School Based Staff**

The criteria outlined in the Redundancy Selection Matrix can be applied to school support staff. For teaching staff the relevant matrix appears in [appendix 5](#). Should the Governors chose to use criteria other than those recommended in this Policy, they must consult with the Trade Union with a view to reaching agreement on the revised criteria.

### **The Complete Closure of the Relevant Service**

As far in advance of the proposed termination date as possible, the appropriate officer, in consultation with the OD Division, will notify all employees as a result of a service or establishment closure where there will be compulsory redundancies proposed.

Management in consultation with the OD Division will then enter into immediate consultation on an individual basis with those employees affected.

In the course of the consultation employees will be informed of the basis of their selection and invited to make representations on their proposed dismissal. Management will give full consideration to any such representations before a confirmed selection for redundancy is made by the appropriate officer in consultation with the OD Division.

Where selection has been confirmed, those selected for redundancy will be given notice of termination in accordance with contractual and/or statutory requirements.

School closures will be subject to the relevant statutory consultation requirements. At the appropriate time all post holders in the school to be closed will be identified as “at risk” of redundancy and be dealt with in accordance with necessary stages of this policy. Representation and appeals procedures will rest with the Governing Body of the closing school.

## **8. Suitable Alternative Employment**

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The Council will make every effort to establish whether there is suitable alternative employment available and offer such employment to the individual(s) concerned. In the case of school based staff this will be in conjunction with the Headteacher and Governing Body. Records of such actions should be maintained. If “suitable alternative employment” is not available redundancy will apply.

The following factors must be considered in determining whether a particular post offers “suitable alternative employment”:

- relevance of an employee’s skills, qualifications, abilities and experience to the requirements of the post;
- the practicality and cost of re-training;
- provide similar earnings including hours of work;
- have similar status; and
- not involve unreasonable additional inconvenience.

The Council will give prior consideration for suitable alternative employment to employees at risk of redundancy provided the employee’s skills and abilities match the essential criteria of the post or will do so with reasonable training. Please see the redeployment policy for guidance. For school based staff historically there has been a high success rate of identifying suitable alternative employment between schools, and Governing Bodies will be requested to maintain their co-operation in

facilitating suitable alternative arrangements to mitigate redundancy situations. Crossmatch opportunities will be explored in any redundancy situation.

### **Trial Period**

All posts offered for re-deployment will be subject to a trial period. The length of the trial period will be agreed with the employee prior to a post being taken up, and will generally relate to the complexity and any change of duties undertaken. Detail of trial periods can be found in the [Redeployment Policy](#).

If an employee refuses an offer of alternative employment which the Council deems suitable and the refusal is considered to be unreasonable, the individual will lose their entitlement to a redundancy payment, and potential early access to their pension benefits.

Trial period arrangement should also apply to school based staff where appropriate for a trial to take place.

### **Ring Fencing**

Ring fencing would only normally occur in the following situations:

- **Restructuring:** in a restructuring situation the Authority may, in certain cases where there is a reduction to the overall number of posts consider ring fencing as part of this process.
- **Recruitment:** an employee including school based staff on the “at risk” list who expresses an interest, and meets the essential person specification criteria, will be interviewed. In the event of more than one employee applying for a vacant post, all who meets the essential person specification criteria will be interviewed.

No appointments to ring fenced posts will be made unless:

- A candidate demonstrates sufficiently that they fully possess the requirements of the posts, as laid down in the person specification and as determined by the selection procedure (s).
- A candidate can reasonably be expected to fully meet the requirements of the posts within a reasonable period, with the provision of appropriate training and support. In such cases a “trial period” will apply.
- Where no suitable candidate is found from the “at risk” list, the post may be advertised externally.

### **Cross matching within Schools**

The Organisational Development Division will in liaison with Headteachers maintain a list of school based staff who have expressed an interest in potential redundancy to facilitate crossmatch for staff identified as “at risk”. The list will be referred to in all compulsory redundancy situations.

## 9. Formal Notification of Redundancy

In accordance with this policy, and following a period of consultation notification of redundancy will be given, providing employees with appropriate notice of their employment being terminated.

The notice period will be an individual's contractual or statutory notice period, whichever is **greater**. Wherever possible notice should be worked and not paid in lieu. In those exceptional circumstances where full notice is not worked the balance will be paid in lieu except when a termination date is mutually agreed prior to the contractual date. Then any balance in lieu is not applicable.

	Continuous Service	Statutory Notice
All staff	1 month but less than 2 years	1 week
	2 years but less than 12 years	1 week of each year of continuous employment
	12 years or more	Not less than 12 weeks  <b>(unless the contract provides for a greater period)</b>
Teachers	Subject to contract under continuous service	2 months Notice in Autumn and Spring Terms  3 months during the Summer Term  Notice to be given no later than 31 <sup>st</sup> October, 28 <sup>th</sup> February and 31 <sup>st</sup> May to take effect at the end of the specified period.
Headteachers	Subject to contract under continuous service	3 months notice in Autumn and Spring Terms*  4 months during the Summer Term*  Notice to be given no later than 30 <sup>th</sup> September, 31 <sup>st</sup> January and 30 <sup>th</sup> April to take effect at the end of the specified period.

In cases where notice is not formally provided to the employee by the deadline the Governing Body will be obliged to employ them for an extra period or make payment in lieu of notice, to ensure that the necessary notice periods are complied with. Headteachers are only considered surplus to requirements in the event of a school closure.

## 10. Right of Appeal

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The employee has the right of appeal if they believe the redundancy is unjustified or that the selection for redundancy is unfair.

### Stage 1 Appeal

Should an employee wish to appeal against their scoring and/or selection then this should be heard in the first instance by a Senior Officer within the department and a member of the OD Division.

### Stage 2 Appeal

If an employee wishes to appeal against the decision to dismiss on the grounds of redundancy following their notice being issued the appeal letter should be sent to the OD Division in line with the timeframes set out in the appeals procedure for dismissals.

### School based staff

[Appendix 5](#) outlines the appeals process for school based staff, which stipulates specific rights for representation and appeal at Governing Body Panels.

## 11. Compensation

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Clearly, where there is a redundancy, there will be entitlement to redundancy pay and other benefits. Compensation for loss of employment due to redundancy will not be calculated on less favourable terms than in accordance with statutory entitlement laid down in existing legislation. All employees who receive redundancy payments will be given a written notification of their redundancy pay. [Appendix 1](#) details the calculation of redundancy pay.

## 12. Withholding Redundancy Payments

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If an employee under notice of redundancy receives an **offer** of work in local government, or a related employer, to commence before the fifth Monday following the date of termination, there will be no entitlement to a redundancy payment. Related employers are those covered by the Redundancy Modification Order.

## 13. Continuity of Service

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Continuity of service for all employees including school based staff **will not** be broken if the employee receives and accepts an offer of employment with an organisation covered by the **Redundancy Modification Order** before their employment ends with Blaenau Gwent and they start their new job before the 5<sup>th</sup> Monday following the date of termination of employment. In this situation they will not be entitled to a redundancy payment.

Where a redundancy payment is made, continuity of service will be broken for the purposes of calculating future redundancy payments. However, there is an entitlement to count previous service for notice periods, annual leave, sickness payments and maternity leave, provided that the break has not exceeded 2 years.

In the case of an employee who has more than one job with the Authority, continuity of service will be based on the redundant post. However, if at the time of redundancy the employee is employed under only one contract but in the past has had one or more overlapping contracts the length of service can be counted back to the start of the first contract if the service has been continuous.

## 14. Business Case/Approval Mechanism

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Any termination on the grounds of redundancy or a crossmatch redundancy whereby the Council exercises its discretion must be supported by a business case.

This business case will include consideration of service delivery changes and the financial consequences of any redundancy payment and pension recovery payback over a period no greater than 5 years.

In the case of schools there will be a full consultation process in liaison with the Headteacher, Organisational Development Division and Trade Unions which will result in the school's redundancy protocols being instigated and relevant panels being held as detailed in [Appendix 5](#). An important consideration will be that the redundancy will not be formally declared until the business case for release of compensation has been approved by the Corporate Redundancy Panel, as the compensating body. It is therefore important that there is an early justification for a robust business case and the Headteacher may be required to attend the Corporate Redundancy Panel in support of their business case.

## 15. Employee Support and Advice

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Organisational Development can support redundancy situations and where appropriate signpost to relevant bodies, details of additional support are outlined below:

### **Time off for attending interviews**

Subject to the Council's operational needs and with approval of the relevant line manager, employees will be granted reasonable time off with pay during their notice period to look for work or to seek retraining opportunities in accordance with current legislation.

### **Employee Assistance Programme**

The Authority has an Employee Assistance Programme in place with an independent provider called "Care first" for all employees and managers. Employees can access support on any personal or work-related issues that may be causing concern or distress such as stress awareness, debt management, well-being and relationship



issues. Contact details are below and additional information is available on the [intranet](#).

- “**Care first**” is free to use 24 hours a day, 7 days a week, 365 days a year and there is no need for employees to ask a manager to use the service. Employees can call **0800 174319** to speak to a professional counsellor or information specialist **in confidence** about a range of issues.
- The “**Care first Lifestyle**” website offers extensive resources including articles on health, issues at home, issues at work, management support tools, stress questionnaires and online counselling in real-time. Employees should visit the website at [www.care-first.co.uk](http://www.care-first.co.uk) and login using the following details - username: **blaenau** and password: **employee**
- The “**Care first Zest**” app has interactive tools, helpful tips, visual and mental exercises and engaging activities. These include meditation exercises, mindfulness exercises, breathing exercises, toolkits to identify behaviours and monitor progress, mood trackers and much more. To start using the app:
  - Download the app - available on iTunes or Google Play – search for My possible self: Mental Health. Or, if you’d prefer to use the programme from your desktop, follow this link: <https://portal.my-possible-self.com/welshfram/my-possible-self/register> (the website is not compatible with Internet Explorer).
  - Enter the registration passcode **WelFram21!** then tick the “I’m not a robot” box and click “Submit”.
  - Create your personal account.
  - Once registered, you can log into the website via [www.my-possible-self.com](http://www.my-possible-self.com) or app using the email and password you created your account with.

### **React Funding**

Any member of staff facing redundancy will be able to access government funding for re-training. In addition to this there is an employer subsidy available to potential new employers (subject to eligibility).

Support under the ReAct II scheme is available for individuals who:

- have become unemployed in the last six months as a result of redundancy, are currently unemployed, and who have not been in continuous employment for 6 weeks or more since being made redundant;
- are currently under notice of redundancy;
- have not undertaken any publicly funded training since being made redundant, including the work-based learning suite of programmes.

In any redundancy situation all members of staff will have full access to information regarding REACT funding. In addition to this staff will be granted reasonable time off to attend any appointments with their react advisors. React advisors can also support CV creation and interview technique training depending on requirements.



**Business Set Up Support**

Staff under notice of redundancy who are thinking of setting up their own business will also have access to specialist advisors for advice and support. Any member of staff facing a redundancy and wishing to receive this advice can request this directly with their Manager who will make the necessary arrangements with the OD Division.

**Job Centre Plus/Careers Wales**

Job Centre Plus and Careers Wales are able to offer individuals advice on job search, CV compilation, interview techniques. Depending on the scale of redundancies the Council will seek to provide this service in-house. This will be determined in line with Department Managers the OD Division and individuals facing redundancy.

# Appendix 1: Statutory Redundancy Payments

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Currently, statutory redundancy payments depend on:

- length of continuous service by the employing authority/ies;
- how continuous service relates to a particular age band; and
- weekly pay.

## Discretionary Payments

The Council exercises its discretion in line with the relevant Pension regulations and guidance. The following discretions will apply:

Redundancy payments will be based on actual earnings as opposed to “statutory” limits however an upper limit of SCP 46 will apply to all redundancies. For staff employed under teacher conditions the cap will be an equivalent amount on the teachers pay scales according to the Teacher’s Pay and Conditions Document.

## Payments

### Staff who do not have access to their Pension

- A redundancy payment based on the statutory calculator multiplied by 2 up to a maximum of 60 weeks.

### Staff who are able to access their Pension

- A redundancy payment based on the statutory calculator up to a maximum of 30 weeks.
- Will have immediate access to unreduced payments of their LGPS/TPS benefits.

## Taxation

Where a discretionary award exceeds £30,000 the excess is subject to a tax deduction at the individual’s marginal rate. The component subject to assessment is the award of redundancy.

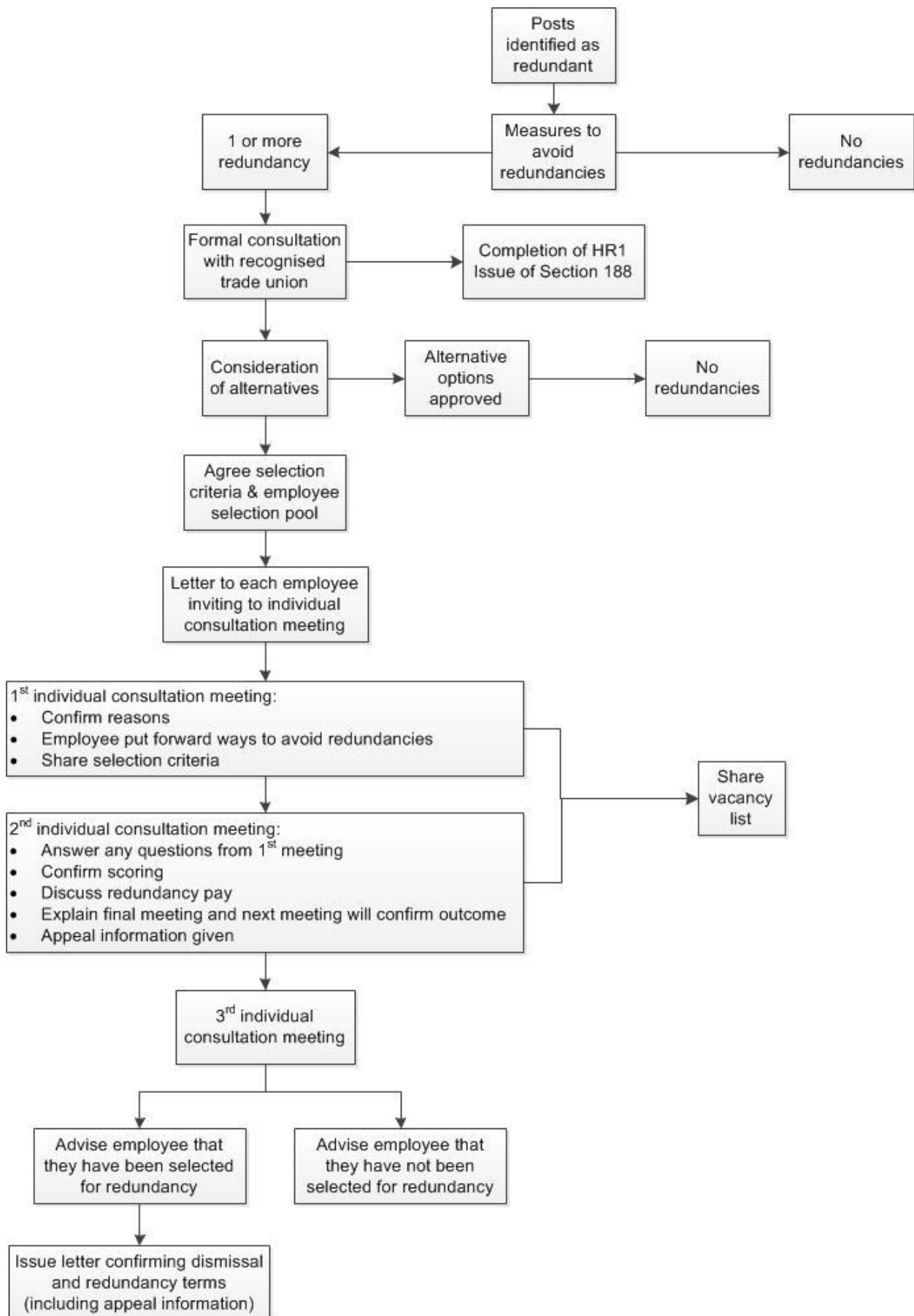
## Appendix 2: Inappropriate Redundancy Selection Criteria

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The following grounds shall **not** be used as criteria when selecting staff for compulsory redundancy:

- participation in trade union activities, or membership or non-membership of a trade union
- having requested flexible working arrangements
- having taken lawfully organised industrial action lasting eight weeks or less (or more than eight weeks in certain circumstances)
- having asserted a statutory employment right
- maternity-related reasons, or in relation to other rights for working parents (for example adoption leave and paternity leave)
- a reason relating to member of staff's rights under the Maternity and Parental Leave etc Regulations 1999
- criteria covered under the Protection from Redundancy (Pregnancy and Family Leave) Act 2023
- having exercised, or sought to exercise, the right to be accompanied at a disciplinary or grievance hearing
- a reason relating to the member of staff's rights under the Working Time Regulations 1998
- a reason relating to the member of staff's rights under the National Minimum Wage Act 1998
- a reason specified in the Part-time Workers (Prevention of Less Favourable Treatment) Regulations 2000
- a reason specified in the Fixed-term Workers (Prevention of Less Favourable Treatment) Regulations 2002
- having made a protected disclosure within the meaning of the Public Interest Disclosure Act 1998
- having taken action on health and safety grounds as a designated or recognised health and safety representative, or as an member of staff in particular circumstances
- having taken part (or proposed to take part) in consultation on specified health and safety matters, or taken part in elections for representatives of member of staff safety

# Appendix 3a: Consultation Process



## Appendix 3b: Redundancy Procedure – Flowchart for School Based Staff

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In the Annual General Meeting, the Governing Body elects a Redundancy Panel and a Redundancy Appeals Panel.



Governing Body/Head Teacher identify a potential staff reduction, after identifying the needs of the school. The OD Division can be contacted for advice. Consultation begins with trade unions and staff.



Skills & Experience Matrix distributed to all relevant teaching staff for completion. Summary Matrix to be completed by Headteacher. Redundancy Selection Matrix completed for support staff tailored to relevant selection pool and summary matrix completed by Headteacher.



Redundancy Panel uses criteria to identify staff as surplus to requirements, using the summary matrix.



Headteacher notifies staff that they have been identified as surplus to requirements and that they have the right of representation to the Redundancy Panel. LEA confirms the decision of the panel.



If required, the Redundancy Panel considers representations. The member of staff has a right to be present at a formal hearing where the right to natural justice will apply.



If the representations are rejected, the employee should be notified in writing and informed of their right of appeal.



If there is an appeal, the Redundancy Appeals panel will conduct a complete re-hearing of the case.



The decision of the Redundancy Appeals Panel is final subject to authorisation by the Corporate Redundancy Panel.



The Corporate Director of Education must be officially notified of the decision at the Corporate Redundancy Panel.

## Appendix 3c: Redundancy Procedure – Flowchart for Non School Based Staff

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Following 1<sup>st</sup> consultation meeting with staff in line with the Council's Redundancy Policy, agree job description for post to ensure appropriate detail and information is transferred to matrix.



Agree a timeframe to complete the matrix; the date the scoring will be based on; the date the matrix will be finalised and a timetable of all meetings, in order to give all interested parties clear information.



Ascertain which system the information is to be checked against, i.e. iTrent and establish OD contact to ensure continuity throughout the process. The same manager is to be involved throughout the process.



Arrange pre-meeting with OD and an independent officer to quality assure the scoring.



Arrange 2<sup>nd</sup> consultation meeting to explain the matrix scores with staff, give the right to appeal the decision as set out in the Policy.



Following the expiry of the appeal period, arrange 3<sup>rd</sup> consultation meeting to confirm the staff not selected for redundancy and discuss the options with the staff that have been selected for redundancy that are now at risk.



Following the decision by the corporate redundancy panel; issue final notice letter to the unsuccessful staff giving right of appeal against dismissal.

# Redundancy Selection Matrix

Proposal:

Officer Lead:

Effective date of scoring:

Number of Redundancies:

Number of staff in Selection Pool:

Selection Pool Description:

Employee Name:

Designation:

Grade:

**Length of Service (Mandatory)**

Score:

The Council uses length of service as part of the selection criteria and recognises that this cannot be used as the only qualifying factor in selection for redundancy. The Council's aim is to apply this as part of the selection criteria for redundancy. In addition to this the council will also apply length of service as a factor in a tie-break situation. Where there is a tiebreaker in respect of the scoring, final selection will be made by reference to length of Service, where the person with the longest continuous (unbroken) local government service will be retained.

1 Day – 1 years service	5
1 year – 3 years service	10
3 years – 5 years service	15
5 years – 10 years service	20
10 – 15 years service	25
15 years or more	30

### **Attendance Record (Mandatory)**

For the purpose of attendance records the Council will score the Attendance Record criteria over a 4 year period with effect from the date of marking. All individuals within the selection pool including those not selected for redundancy will be subject to further scoring for selection. The Council reserves the right to revisit the scoring at any point during the notice period.

Please note that consideration is required upon absences that could fall within the remit of the Equality Act 2010. Further advice and guidance is available from Organisational Development, and is available at:

<https://www.gov.uk/definition-of-disability-under-equality-act-2010>

In cases whereby absences maybe linked to a work related accident, these should be considered separately.

#### **Occasions of Absence (Mandatory)**

Score:

7 or more periods of absence	0
5 - 6 periods of absence	10
3 - 4 periods of Absence	20
1 – 2 periods of Absence	30
No Absences	40

Occasions of Absence are the number of times a person has been off sick over the previous 4 years i.e. 1 period of 4 weeks absence and 1 period of 2 days absence would be 2 occasions. This must be formally recorded and available for review by the employee.

#### **Days of Absence (Mandatory)**

Score:

41 or more days	0
31 – 40	5
21 – 30	10
11 – 20	15
1 – 10	20
Nil	25

Days of absence are the total amount of days lost to absence.



**Disciplinary Record (Mandatory)**Score: 

Only disciplinary warnings that are current and do not expire prior to the date of termination will be used when scoring this section.

Final Written Warning	0
First Written Warning	10
Nothing on Record	20

**Capability (Mandatory)**Score: 

Has entered into stage 3 of the capability process and is being considered for re-deployment, further monitoring or dismissal.	0
Has entered into stage 2 of the capability process and is currently working to a development plan to improve performance.	5
Has entered into stage 1 of the capability process and is currently working to a development plan to improve performance.	10
(Evidenced) Issues of performance being addressed through, supervision, performance management and training. As defined in the Capability Policy.	15
Nothing on Record	20

**Job Knowledge Skills (Mandatory)**Score: 

Tailored to each Selection Pool (maximum of 20 points).

Essential Qualifications & Experience:

- This would be Essential Criteria from the agreed JD.
- Maximum of 10 points if staff are also being scored in undertaking duties across the council.
- If the individuals going through the matrix are static members of staff (i.e. office based) the maximum point scored for this section should be 20 points.

**Flexibility (Mandatory)**Score: 

- Tailored to each Selection Pool (maximum of 10 points).
- Transferable skills across the Directorate/Council e.g. managing staff, budgets, IT skills (maximum of 10 points).

**Timekeeping (Discretionary)**Score: 

Timekeeping criteria will only be applied when the selection pool are required to work varying shift patterns.

8 or more	0
5 – 7	5
2 – 5	10
No lateness	15

Maximum Points Achievable: Actual Points Achieved: Scoring Manager Signature: Print Name: Date: Quality Assured Signature: Print Name: Date: Employee Signature: Print Name: Date: I can confirm that I :  Agree Disagree

with the scoring of the matrix

If disagree, please stipulate the grounds in which you are disagreeing.

NB: by completing this section, an appeal against the scoring of your matrix will be raised.

**Supporting Evidence**

A large, empty rectangular box with a thin black border, occupying most of the page below the 'Supporting Evidence' header. It is intended for the user to provide evidence or data.

# Appendix 4b: Redundancy Selection Matrix (Manager's Guide)

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## Blaenau Gwent County Borough Council Redundancy Selection Matrix

*Please note that the date of scoring will need to be agreed with the Manager and Trade Union/Representative prior to the exercise taking place. All employees in the selection pool should be marked at the same effective date.*

Proposal:

Officer Lead:

Effective date of scoring:

Number of Redundancies:  Number of staff in Selection Pool:

Selection Pool Description:

Employee Name:

Designation:  Grade:

**Length of Service (Mandatory)** Score:

The Council uses length of service as part of the selection criteria and recognises that this cannot be used as the only qualifying factor in selection for redundancy. The Council's aim is to apply this as part of the selection criteria for redundancy. In addition to this the council will also apply length of service as a factor in a tie-break situation. Where there is a tiebreaker in respect of the scoring, final selection will be made by reference to length of Service, where the person with the longest continuous (unbroken) local government service will be retained.

*When calculating Service points, the Local Government continuous service date is required to be used. Please note the reference to Service being used in a tie-break situation. This would only apply to staff being assessed in the same selection pool.*

1 Day – 1 years service	5
1 year – 3 years service	10
3 years – 5 years service	15
5 years – 10 years service	20
10 – 15 years service	25
15 years or more	30

### **Attendance Record (Mandatory)**

For the purpose of attendance records the Council will score the Attendance Record criteria over a 4 year period with effect from the date of marking. All individuals within the selection pool including those not selected for redundancy will be subject to further scoring for selection. The Council reserves the right to revisit the scoring at any point during the notice period.

*In this circumstance explanation and agreement with Trade Union/Representative/Manager/ Individual that any absence taken within the notice period may alter the scoring further, and this will be discussed on a case by case basis.*

Please note that consideration is required upon absences that could fall within the remit of the Equality Act 2010. Further advice and guidance is available from Organisational Development, and is available at:

<https://www.gov.uk/definition-of-disability-under-equality-act-2010>

In cases whereby absences may be linked to a work related accident, these should be considered separately.

#### **Occasions of Absence (Mandatory)**

Score:

7 or more periods of absence	0
5 - 6 periods of absence	10
3 - 4 periods of Absence	20
1 – 2 periods of Absence	30
No Absences	40

Occasions of Absence are the number of times a person has been off sick over the previous 4 years i.e. 1 period of 4 weeks absence and 1 period of 2 days absence would be 2 occasions. This must be formally recorded and available for review by the employee.

#### **Days of Absence (Mandatory)**

Score:

41 or more days	0
31 – 40	5
21 – 30	10
11 – 20	15
1 – 10	20
Nil	25

Days of absence are the total amount of days lost to absence.

**Disciplinary Record (Mandatory)**Score: 

Only disciplinary warnings that are current and do not expire prior to the date of termination will be used when scoring this section.

Final Written Warning	0
First Written Warning	10
Nothing on Record	20

*The above is self explanatory and any current warnings on file will determine the score.*

**Capability (Mandatory)**Score: 

Has entered into stage 3 of the capability process and is being considered for re-deployment, further monitoring or dismissal.	0
Has entered into stage 2 of the capability process and is currently working to a development plan to improve performance.	5
Has entered into stage 1 of the capability process and is currently working to a development plan to improve performance.	10
(Evidenced) Issues of performance being addressed through, supervision, performance management and training. As defined in the Capability Policy.	15
Nothing on Record	20

*The above is in line with the Capability Policy and should the employee have commenced this process, the scores must reflect this.*

**Job Knowledge Skills (Mandatory)**Score: 

Tailored to each Selection Pool (maximum of 20 points).

Essential Qualifications & Experience:

- This would be Essential Criteria from the agreed JD.
- Maximum of 10 points if staff are also being scored in undertaking duties across the council.
- If the individuals going through the matrix are static members of staff (i.e. office based) the maximum point scored for this section should be 20 points.

*Examples are the flexibility to cover other roles within the department i.e. Recreational Assistant covering a Duty Manager, a Home Carer covering Duty Planner. Consideration can also include covering different areas of work within the department or being able to work across functions.*

*Where possible this should be objective and would relate to specific skills required for the role. This could include qualifications, skills, and specialist skills. This may also relate to particular tasks in the department that all employees within the selection pool should have had equal opportunity to train/carry out.*

*The criteria for this section must be mutually agreed with the Manager and the Union/representatives.*

**Flexibility (Mandatory)** Score:

- Tailored to each Selection Pool (maximum of 10 points).
- Transferable skills across the Directorate/Council e.g. managing staff, budgets, IT skills (maximum of 10 points).

*The criteria for this section must be mutually agreed with the Manager and the Union/representatives.*

**Timekeeping (Discretionary)** Score:

Timekeeping criteria will only be applied when the selection pool are required to work varying shift patterns.

8 or more	0
5 – 7	5
2 – 5	10
No lateness	15

*This should only be applied if the individuals affected work set shift patterns/times and also if the criteria is applied across the selection group.*

Maximum Points Achievable:  Actual Points Achieved:

Scoring Manager Signature:

Print Name:  Date:

Quality Assured Signature:

Print Name:  Date:

Employee Signature:

Print Name:  Date:

I can confirm that I :

Agree  Disagree with the scoring of the matrix

If disagree, please stipulate the grounds in which you are disagreeing.  
NB: by completing this section, an appeal against the scoring of your matrix will be raised.

**Supporting Evidence**

*Manager to provide supporting evidence as to the rationale behind the points awarded e.g. sickness absence records, rationale for scoring in the job knowledge and skills and flexibility.*

[Empty box for providing supporting evidence]



## **Appendix 5: Additional Guidance for Schools**

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### **Consultation Process**

The Governing Body, usually through the Headteacher, has a duty to consult with the staff and trade unions. Any proposals on alternative options at consultation stage will also be considered by the Headteacher and Governing Body. The Headteacher should call a meeting at the earliest opportunity and invite the relevant Trade Unions. The purpose of the meeting is to inform all staff of the possibility of one or more redundancies and to explore the way in which this may be prevented, such as the methods of natural wastage, staff reducing hours, voluntary retirement etc. If these possibilities do not resolve the need for redundancies, then a compulsory process should be implemented. It is vital that any staff members who are absent are kept informed of the situation and consulted.

### **Establishment of Committees**

At the Annual General Meeting, the Governing Body should elect or appoint two committees: the Redundancy Committee and the Redundancy Appeals Committee. It is recommended that each committee consists of at least three people, with five as a maximum, an odd number being recommended to produce a clear result in the event of a vote being taken on any issue.

It is strongly recommended that the Chair of Governors does not sit on either of the committees, as it is normal practice for him/her to be involved in the redundancy process with the Headteacher throughout. It is also important that staff members do not sit on either of these committees, as impartiality could not be ensured.

### **Establishment of Criteria**

The Governing Body should have clearly defined criteria for selection of posts to be declared surplus to requirement at the school. These should be agreed by the Governing Body and publicised within school, with a statement giving a commitment to a fair, consistent, objective and non-discriminatory selection process.

Should the governors choose to use criteria other than those recommended by the Council, they must consult the trade unions, with a view to reaching agreement on the revised criteria.

The Council, however, recommends that Governors adopt the procedures within this document, which have been agreed with the recognised trades unions.

## **Selection Process**

### **Background Information**

In selecting criteria for identification of a post to be declared 'surplus to requirement' at a school, governors must take care to avoid use of criteria which would discriminate under the terms of the Equality Act 2010.

Clearly the process should identify a post - which is filled by an individual - but should not be aimed at justifying the selection of an individual per se.

### **Assessment of Needs**

In order to identify the specific areas of surplus capacity, an assessment of needs should be carried out across the whole school. The Headteacher will be required to:

- Identify current and projected pupil number trends;
- Identify current and future curriculum needs;
- Identify any organisational and management requirements of the school.

In Secondary Schools a curriculum audit should be completed, which will identify the needs of the school within each subject area. Clearly this cannot be achieved until the options process has been completed and projected pupil numbers are known.

It is imperative that this information is documented accurately, as it will form the basis of any potential redundancies and could be challenged at a later date. Please be aware that this process has to be carried out in a timely manner, in order to ensure that notice periods will be adhered to.

Having identified the needs of your school, it is advisable that you contact your Council representatives in Resources and Organisational Development for advice.

### **Selection Criteria**

In the event that all options have been unsuccessful in avoiding a compulsory redundancy situation, the adopted selection criteria must be used to identify the appropriate 'surplus' post(s).

The relevant forms (Skills and Experience Matrix) to be issued to all teaching staff within the Primary and Secondary sector respectively are attached. These forms identify the relevant agreed set of criteria for teaching posts within each sector, which will enable the Headteacher and governors to match the needs of the school with the skills and experience of the teaching staff.

Due to the number and diverse nature of support staff posts within schools, a set of criteria has not been agreed in its entirety for such staff. However, it has been agreed with the trade unions that the template in this Policy at [Appendix 4a](#) is used in all cases and is added to, according to the needs of the post. It should be pointed out that such criteria must be drawn up and agreed with the trade unions prior to any redundancy negotiations beginning.

A copy of the relevant form must be issued to all relevant staff for completion, with an explanation of its purpose. In order to ensure that all staff are fully aware of the process, a copy of this policy must be issued with the appropriate form.

It is imperative that any staff who are absent are also made aware and participate in the process. Please contact the Organisational Development Service Partner, who will advise you on the most appropriate course of action.

It is imperative that all staff are afforded sufficient time to complete the form and are provided with any necessary advice and guidance on its completion. All staff members should be made aware of the support that is available through the line management and Trade Union, in the completion of the form. On completion of the form, staff should meet with their line manager to discuss and agree its content.

## **Skills and Experience Matrix – Completion of the Form**

The purpose of the Redundancy Selection Matrices is to enable relevant teaching and support staff to demonstrate the skills, knowledge, experience, etc that they have, which meet the current and future needs of the school. Staff should be aware that the data will be collected and used as part of an exercise to match their skills and experience to the current and future needs of the school. It is, therefore, important that all staff invest sufficient time and effort into its completion, as it forms the basis of the decision-making regarding the redundancy.

On completion of the form, the individual will meet with his or her line manager, in order to discuss the content, so that any discrepancies can be highlighted. At this meeting, documents such as job descriptions, person specifications, training records etc. should be available for supporting information. On agreement of the content of the form, the member of staff and line manager sign the bottom. All completed and signed forms should be returned to the Headteacher.

In the event of a member of staff being unable to complete the form, it will fall to a line manager to undertake this task, with the appropriate consultation. In such cases, the completed form will be sent to the individual for their information. They will then be given the opportunity to make any amendments and additions, within a given timescale. Support from the line manager will be available to assist in this process.

Failure to return the form will result in the original version being used in the process. The member of staff will be informed that this is the case.

## **Completion of the Summary Matrix**

On receipt of the completed forms, the Headteacher or School Management Team member(s) must transfer the information onto the appropriate Summary Matrix sheet (see appendices). It is important that the information is anonymised when transferred onto the Summary Matrix, in order to ensure a fair process throughout. The Teacher No or Staff No should be completed at the top of each Criteria Matrix form and then transferred onto the Summary Matrix sheet.

In Secondary Schools, the completed forms will form the basis of any 'bumping' that can be achieved within the various subject areas. Headteachers should use the information provided on the Criteria Matrix to see whether internal staff movement within subject areas can be achieved, in order to remove surplus capacity. When this process has been exhausted, a clear picture will have emerged of where the surplus capacity remains. It must be stressed that consultation with staff is imperative during this process.

On completion of the 'bumping' process, the Summary Matrix will be completed for the subjects in which there is surplus capacity only.

Support and guidance throughout the process will be available from the Organisational Development Service Partner.

## **The Role of the Panel**

A member of the OD Division and/or the Governor's Support Division will attend all relevant meetings to guide governors through the process and deal with the administration and consultation with the Trade Unions.

In the event that a sufficient number of staff members volunteer to accept redundancy, the panel members will be required to approve the redundancy on these grounds. However, in the event of more staff volunteering for redundancy than the number of surplus posts, the process below should be carried out, but for the volunteers only.

At the Redundancy Panel hearing, the Headteacher will explain the process adopted to date and what has been identified as the current and future needs of the school. The appropriate documentation is then issued for discussion. The Headteacher will then circulate and explain the anonymised Criteria Matrix and Summary Matrix sheets, which provide all necessary information on the relevant staff members. The panel members will then be required to match the skills and experience of the individual staff members to the needs of the school.

It should be noted that, in Secondary schools, information should be provided only for the areas of surplus capacity.

Only Part 1 of the form should be considered at this stage. If the information does not identify the required 'surplus' posts, the length of service should be considered as the deciding factor. In this case, the person with the shortest length of service with the Authority will be selected for redundancy.

## **Following the Hearing**

Following the Redundancy Hearing, the Headteacher and Chair of the Panel should arrange to meet with the selected individual to communicate the outcome and the right to appeal, as per this policy. The meeting should also be an opportunity for the individual to ask any questions about the process and to discuss any other relevant issues.

The decision of the Redundancy panel will be communicated in writing by the Council, within seven calendar days.

As outlined the employee has the right to appeal against the decision of the Redundancy panel, in the form of a Representation Hearing. Following the outcome of the Representation Hearing, the employee has one final right to appeal to the Redundancy Appeal Panel. This is a complete rehearing of the case, with a fresh panel of Governors who have no prior knowledge of the case.

## **Council Panel Meeting**

On completion of the process, the final authorisation is granted by the Council via a panel of Officers, comprising of representatives from Resources and Organisational Development. The decision is based on the presentation of a sound business case. Please refer to the section on Business Case/Approval Mechanism.

## **Representation Hearings**

The purpose of this meeting is to receive representations from the member(s) of staff identified as 'surplus to requirement'. These should be on the basis of incorrect identification e.g. "I am a geographer not an historian", "I have skills in the area of x" etc.

The teacher should be encouraged to bring a colleague or trade union representative to the meeting.

Procedurally the meeting should follow this course:

- All panel members are asked to confirm that they are able to act impartially. A Chair should be elected for the duration of the Hearing.
- The Headteacher will outline the reason for the proposed redundancy (ies) and the criteria used in identifying the post in question.
- The staff member (colleague or trade union representative) may ask questions of the Head Teacher.
- Members of the Panel may seek clarification of points from the Head Teacher.
- The staff member (colleague or trade union representative) makes their representation.
- The Headteacher may ask questions of the staff member.
- The Panel may ask questions of the staff member (colleague or trade union representative).
- Both parties may sum up their case, the Head Teacher summing up first.
- The Headteacher and staff member (colleague or trade union representative) shall leave the room whilst the Panel consider the representations made to them.

- At this point advice to the panel may be offered by the relevant Support Officer in attendance.
- The parties shall return and the decision of the panel given verbally including notification of the right of appeal to the Redundancy Appeals Committee, if the representation has been rejected.

The decision of the panel will be communicated in writing to the staff member within seven calendar days and arrangements to exercise the right of appeal will be outlined in that letter.

## **Appeal Hearing**

The Appeal Hearing should follow the pattern of the Representation hearing, but it is a complete rehearing of the case with a fresh panel of governors, who have no knowledge of the arguments and cases put previously.

The remit of this meeting is wider than that of the representation meeting. Not only might the committee hear argument on wrong identification but also on whether a genuine redundancy situation exists.

Once more the staff member is encouraged to have a colleague or trade union representative with them.

The procedure for the meeting follows that of the Representation Hearing:

- All committee members are asked to confirm that they are able to act impartially. A Chair should be elected for the duration of the Hearing.
- The Headteacher will outline the reason for the declaration and the criteria used in identifying the post in question.
- The teacher (colleague or trade union representative) may ask questions of the Headteacher.
- Members of the Committee may seek clarification of points from the Head Teacher.
- The staff member (colleague or trade union representative) will make their representation.
- The Headteacher may ask questions of the staff member.
- The Committee may ask questions of the staff member (colleague or trade union representative).
- Both parties may sum up their case, the Headteacher summing up first.
- The Headteacher and staff member (colleague or trade union representative) shall leave the room whilst the Committee consider the representations made to them.
- At this point advice to the Committee may be offered the relevant officer.

- The parties shall return and the decision of the Committee given verbally.

The decision of the Committee will be communicated in writing to the staff member within seven calendar days.

The decision of the appeals committee is final.

## **Redundancy/Appeal Committee**

In the event of a compulsory redundancy being identified, the member of staff has the right to make representations to the Schools Redundancy Committee and then appeal against the decision to the Schools Appeal Committee. In circumstances where the employee wishes to exercise this right of representation, initially to the redundancy Committee, they have a period of 7 calendar days to inform the Chief Education Officer, in writing of their intentions and why. The 7 days takes effect from the date on which the employee is informed of the decision in writing.

The outcome of the representation hearing will be communicated to the individual within 7 calendar days. In the event that the employee is not satisfied with the outcome of representation hearing they have a right to appeal to the Redundancy Appeal Committee. In this case the employee will have 7 calendar days to notify the Chief Education Officer, in writing, if they wish to appeal against the representation decision to this Committee.

At the Annual General Meeting the governing body should elect or appoint two panels: the Redundancy Committee and the Redundancy Appeals Committee. It is recommended that each committee consist of at least 3 people, with 5 as a maximum.

It is strongly recommended that the Chair of Governors does not sit on either of the Committees, as it is normal practice for them to be involved in the redundancy process with the Head teacher throughout. It is also important that staff members do not sit on either of these Committees, as impartiality could not be ensured.

## Teachers Redundancy Selection Matrix

Name of School:

Proposal:

Headteacher:

Effective date of scoring:

Number Of staff in Selection Pool:

Selection Pool Description:

Employee Name:

Designation:

Grade:

Schools should determine criteria that are relevant to their own school and the circumstances of the reduction in staffing in the School, Faculty or Department. Any changes to the template should be made in consultation with relevant Trade Unions.



**Specific Skills and Experience (Mandatory)**

Please provide information to support your matrix in the supporting evidence column. **Please complete the matrix electronically as the rows will then expand with the information included.**

<b>Relevant Teaching Skills</b>	<b>Supporting Evidence</b> (For completion by employee and agreed by a nominated manager)	<b>Score Guide</b> (Scoring to be completed by nominated manager – not for completion by employee)	<b>Score</b> (for completion by Manager)
Foundation/ Nursery		Experience of having taught in last 3 years = 3 Experience of having taught in last 5 years = 2 Experience but not in last 5 years=1 No Experience = 0	
KS2		Experience of having taught in last 3 years = 3 Experience of having taught in last 5 years = 2 Experience but not in last 5 years=1 No Experience = 0	
KS3		Experience of having taught in last 3 years = 3 Experience of having taught in last 5 years = 2 Experience but not in last 5 years=1 No Experience = 0	
KS4		Experience of having taught in last 3 years = 3 Experience of having taught in last 5 years = 2 Experience but not in last 5 years=1 No Experience = 0	
Subjects Taught (please list):		Not scored	

<b>Specialist Relevant Skills – Examples</b>	<b>Supporting Evidence</b> (For completion by employee and agreed by a nominated manager)	<b>Score Guide</b> (Scoring to be completed by nominated manager – not for completion by employee)	<b>Score</b>
Degree in relevant subject taught		3	
Crosscutting skills/Added Value (relating to the curriculum)		3	
Subject Leadership/ Key Stage Leadership/ Year management role/ Leadership Role/ TLR Post Holder		Experience in any of these areas in the last 3 years = 3  Experience in last 5 years = 2	
Literacy, numeracy and digital competency		Expert/Uses in practice and has taught others = 3  Confident/Intermediate user = 2  Basic use = 1	
Science/Technology		Expert/Uses in practice and has taught others = 3  Confident/Intermediate user = 2  Basic use = 1	
Wider curriculum contribution		Up to 3 points (Criteria to be school specific and agreed with Trade Unions)	

<b>Training and Development</b>	<b>Supporting Evidence</b> (For completion by employee and agreed by a nominated manager)	<b>Score Guide</b> (Scoring to be completed by nominated manager – not for completion by employee)	<b>Score</b>
Post-graduate qualification		Working towards - 1 Achieved - 3	
Other relevant qualifications		Working towards - 1 Achieved - 3	
Contribution towards a self improving schools		Up to 3	

Maximum Points Achievable:

Actual Points Achieved:

Scoring Manager Signature:

Print Name:

Date:

Quality Assured Signature:

Print Name:

Date:

Employee Signature:

Print Name:

Date:

I can confirm that I :

Agree

Disagree with the scoring of the matrix

If disagree, please stipulate the grounds in which you are disagreeing.

NB: by completing this section, an appeal against the scoring of your matrix will be raised.

## TIEBREAKER SITUATION

In the event of more than one teacher achieving the same score in the application of the above criteria; the decision may be concluded by using the attendance record.

### Attendance Record (Mandatory)

For the purpose of attendance records the School will score the Attendance Record criteria over a 4 year period with effect from the date of marking. All individuals in the tiebreak situation will be subject to further scoring for selection. In the event that not all employees have been employed for a period of 4 years, a period of the last rolling 12 months will be applied. The School reserves the right to revisit the scoring at any point during the notice period.

Please note that consideration is required upon absences that could fall within the remit of the Equality Act 2010. Further advice and guidance is available from Organisational Development, and is available at: <https://www.gov.uk/definition-of-disability-under-equality-act-2010>

In cases whereby absences maybe linked to a work related accident, these should be considered separately.

#### Occasions of Absence (Mandatory)

Score:

7 or more periods of absence	0
5 - 6 periods of absence	10
3 - 4 periods of Absence	20
1 – 2 periods of Absence	30
No Absences	40

Occasions of Absence are the number of times a person has been off sick over the previous 4 years i.e. 1 period of 4 weeks absence and 1 period of 2 days absence would be 2 occasions. This must be formally recorded and available for review by the employee.

#### Days of Absence (Mandatory)

Score:

41 or more days	0
31 – 40	5
21 – 30	10
11 – 20	15
1 – 10	20
Nil	25

Days of absence are the total amount of days lost to absence.

In the event that the Attendance Record does not resolve the tie-break situation then length of service will be included.

**Length of Service**

Where there is still a tiebreaker in respect of the scoring, final selection will be made by reference to length of Service, where the person with the longest continuous (unbroken) local government service will be retained.

Maximum Points Achievable:

Actual Points Achieved:

Scoring Manager Signature:

Print Name:

Date:

Quality Assured Signature:

Print Name:

Date:

Employee Signature:

Print Name:

Date:

I can confirm that I :

Agree       Disagree      with the scoring of the matrix

If disagree, please stipulate the grounds in which you are disagreeing.

NB: by completing this section, an appeal against the scoring of your matrix will be raised.



# **In the Interests of the Efficiency of the Service Policy**



**ORGANISATIONAL DEVELOPMENT DIVISION**

Issued: May 2023    Review: May 2028

This document is also available in Welsh / Mae'r ddogfen hon hefyd ar gael yn Gymraeg

# Version Control

This document is intended for:

- Council staff only    School-based staff only    Council & School-based staff

Version	Key Changes	Approved By
Apr 2020	Reformatted and EAP details added	DMT
May 2023	Reviewed – no updates required	DMT

This document may be reviewed and amended at any time and without consultation in response to legal requirements or in response to an organisational requirement and where the changes do not reflect a fundamental change or affect the spirit or intent of the document.

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# 1. Introduction

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Blaenau Gwent Council recognises that the people we employ are our most valuable asset and critical in developing modern, high quality, efficient and responsive customer focused public services.

Whilst it is the Council's intention to develop and provide a stable work environment and security of employment for all its employees, it must ensure that it provides a viable, high quality, value for money service to the Community. In this respect circumstances may arise where changes in the market, technology, organisational and/or statutory requirements necessitate the need for changes in staffing requirements for a service which may lead to termination of contracts "in the interests of the efficiency of the service".

# 2. Definition of Efficiency

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Termination on the grounds of efficiency unlike redundancy is not a dismissal, it is a mutual agreement of termination of a contract of employment by both parties i.e. employee and the Council. This is also considered to be in the best interests of both parties.

Compensation on terminating employees on these grounds is entirely at the Authority's discretion. The discretion will not be exercised as an alternative to dealing with the matter of inadequate performance through properly presented procedures.

# 3. Compensation

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Clearly where there is a termination on the grounds of efficiency, there will be entitlement to compensation for the loss of the employment.

# 4. Discretionary Payments

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The Council exercises its discretion in line with the Local Government Pension Scheme Regulations 1997 (as amended) and the Local Government (Early Retirement of Employment) (England and Wales) Regulations 2000, 2006 and 2008 (as amended) – generally called the Discretionary Compensation Regulations. Individuals who terminate on the grounds of efficiency:

- a) **Aged over 55 years**  
Individuals will have immediate access to an unreduced payment of their LGPS benefits.
- b) **Aged under 55 years**  
Individuals may receive a compensation payment equivalent to that calculated for redundancy as outlined in the Council's Redundancy Policy for those staff who do not have access to their pension.

## 5. Business Case/Approval Mechanism

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Any termination on the grounds of Efficiency whereby the Council exercises its discretion must be supported by a business case with the necessary approval.

This business case will include consideration of service delivery changes and the financial consequences of any efficiency compensation and pension recovery payback over a period no greater than 5 years.

## 6. Employee Assistance Programme

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The Authority has an Employee Assistance Programme in place with an independent provider called “Care first” for all employees and managers. Employees can access support on any personal or work-related issues that may be causing concern or distress such as stress awareness, debt management, well-being and relationship issues. Contact details are below and additional information is available on the [intranet](#).

- “**Care first**” is free to use 24 hours a day, 7 days a week, 365 days a year and there is no need for employees to ask a manager to use the service. Employees can call **0800 174319** to speak to a professional counsellor or information specialist **in confidence** about a range of issues.
- The “**Care first Lifestyle**” website offers extensive resources including articles on health, issues at home, issues at work, management support tools, stress questionnaires and online counselling in real-time. Employees should visit the website at [www.care-first.co.uk](http://www.care-first.co.uk) and login using the following details - username: **blaenau** and password: **employee**
- The “**Care first Zest**” app has interactive tools, helpful tips, visual and mental exercises and engaging activities. These include meditation exercises, mindfulness exercises, breathing exercises, toolkits to identify behaviours and monitor progress, mood trackers and much more. To start using the app:
  - Download the app - available on iTunes or Google Play – search for My possible self: Mental Health. Or, if you’d prefer to use the programme from your desktop, follow this link: <https://portal.my-possible-self.com/welshfram/my-possible-self/register> (the website is not compatible with Internet Explorer).
  - Enter the registration passcode **WelFram21!** then tick the “I’m not a robot” box and click “Submit”.
  - Create your personal account.
  - Once registered, you can log into the website via [www.my-possible-self.com](http://www.my-possible-self.com) or app using the email and password you created your account with.