

Decision Number: 04 (2019/20)

Portfolio Holder Executive Decision Statement

The Local Authority (Executive Arrangements)(Meetings and Access to Information)(England) Regulations 2012

Subject:

Restricting exit payments in the public sector: Government consultation on implementation of regulations

Details of Decision taken

The approval of the Council's response to the Government consultation on restricting exit payments in the public sector.
SDC's response supports the LGA's comprehensive response detailing serious concerns about the consequences of implementing the policy in the consultation document.

Reason for Decision

- Legislation will have a direct impact on the Council's freedom and flexibility to plan for workforce changes and restructures
- Employees in scope could be much lower earning than the consultations suggests (inclusion of pension strain costs)
- Absence of a review of the cap limit, or any indexation of the figure, or salary floor
- Potential legal risks that could increase costs to employers
- Number of changes to other legislation required before regulations can reasonably be applied e.g. Local Government Pension Scheme
- Exemption processes overly bureaucratic and challenges the capacity of local government to make decisions in the interest of local taxpayers

All Documents considered:

- Consultation: guidance, draft Regulations, HMT directions and schedules
- LGA response
- South East Employers draft response

Details of any alternative options considered and rejected by the Member when making the Decision:

N/a

Financial implications

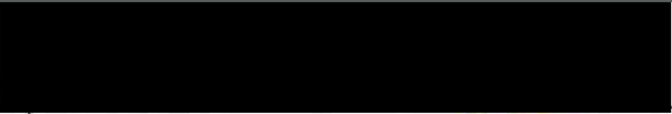
There are no financial implications to approving the Council's consultation response.

Cash exit payments in local government will potentially increase as a result of the regulations

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Legal Implications and Risk Assessment There are no legal implications to approving the Council's consultation response. <ul style="list-style-type: none">▪ Potential legal risks that could increase costs to employers▪ Number of changes to other legislation required before regulations can reasonably be applied e.g. Local Government Pension Scheme	
Equality Impacts (Consideration of impacts under the Public Sector Equality Duty) A further concern is the absence of a robust Equalities Impact Assessment of the Regulations by Government	
Local Member (s), other Portfolio Holders and/or Directors/Heads of Service Consulted Strategic Management Team	
Details of any conflicts of interest a) declared by any executive member who is consulted by the Decision Taker N/a b) and any details of dispensations granted by the Chief Executive in respect of any declared conflict N/a	
Decision taken by:	Portfolio Holder for Improvement and Innovation
Signed by Portfolio Holder	
Date of Decision	26-6-19
Record made by:	Caroline Borrows, Principal HR Advisor
Date of record:	26.6.19

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