

# Finance and Resources Committee

**10.00am, Thursday, 23 February 2017**

## **Re-employment and re-engagement of staff**

<b>Item number</b>	7.8
<b>Report number</b>	
<b>Executive/routine</b>	
<b>Wards</b>	

### **Executive Summary**

---

At the meeting of the Finance and Resources Committee on 3 November 2016, in considering item B1.1 on re-employment/re-engagement of staff, a request was made to provide an analysis of the impact on leavers of the one year time bar from date of leaving via VERA or VR, agreed at Finance and Resource Committee on 17 March 2016.

Implications of introducing a financial cut-off in relation to the one year time bar were explained at the meeting on 17 March 2016 with a decision to review the position at a later date. Further analysis and recommendations are provided below.

### **Links**

---

<b>Coalition Pledges</b>
<b>Council Priorities</b>
<b>Single Outcome Agreement</b>

## Re-employment and re-engagement of staff

### 1. Recommendations

---

- 1.1 It is recommended that Committee note this report.

### 2. Background

---

- 2.1 It was agreed at Finance and Resources Committee on 3 November 2016 that regular update reports would be provided on the numbers of staff who had left the Council and applied or returned within the one year time bar. This report provides an analysis of the situation to date.

### 3. Main report

---

#### **VR and VERA Leavers 2015**

- 3.1 An analysis of the first VR/VERA leavers under transformation has been undertaken and Appendix 1 shows numbers of staff who have been re-employed since the initial VERA/VR departures at end of September 2015. Out of a total of 768 leavers, 23 have returned to positions within the one year time bar period. The majority of these are exceptions such as locum residential care workers on supply/casual contracts.
- 3.2 This demonstrates that the one year time bar has been successful in restricting re-employment within this time period. Notably, two staff have been re-employed on fixed term employment contracts and one on a permanent contract. However, they were processed as VR leavers before the Committee decision on 17 March 2016.

#### **Implications**

- 3.3 Higher exit costs are often associated with age, salary and length of service. Under pension regulations, staff over 50/55 years have access to their pension which has associated strain costs to the Council due to their early departure. In some cases pension strain costs can be significantly high. In this regard to apply the one year time bar only to staff with costs above £30K would be unfair and age discriminatory, leaving the Council open to legal challenge. This could also affect those staff under 50 years with long service.

- 3.4 Also, as previously advised on 17 March 2016, a financial cut-off would primarily affect middle managers i.e. staff in the salary grade range GR5 to GR9.
- 3.5 Under current arrangements, the majority of exceptions granted are for front line roles. All exceptions have been approved. This is demonstrated in the information provided in Appendix 1.
- 3.6 It is therefore recommended that the Council continue with existing arrangements in place and retain the one year time bar on re-employment/re-engagement for all leavers irrespective of total costs of exit. This takes account of the potential legal implications of applying a financial cut-off.

#### **4. Measures of success**

---

- 4.1 The Council's ability to monitor and enforce this on a consistent basis.
- 4.2 Colleagues leaving the Council's employment are made aware of the requirement prior to agreeing to VERA or VR terms.

#### **5. Financial impact**

---

- 5.1 The salary cost of re-employing staff would be met from the approved budget of the relevant service.

#### **6. Risk, policy, compliance and governance impact**

---

- 6.1 Risk, policy, compliance and governance impact is integrated within the proposal.

#### **7. Equalities impact**

---

- 7.1 The proposal incorporates outcomes related to the Council's commitment to reducing inequality and providing employment.

#### **8. Sustainability impact**

---

- 8.1 The proposal incorporates outcomes related to the Council's commitment to develop Edinburgh as a sustainable capital city, particularly as a key employer.

#### **9. Consultation and engagement**

---

- 9.1 The proposal has been developed in consultation with stakeholders including the Trade Union and is embedded through clear communication cascade.

## 10. Background reading/external references

---

10.1 None.

### **Hugh Dunn**

Acting Executive Director of Resources

Katy Miller, Head of Human Resources

E-mail: [katy.miller@edinburgh.gov.uk](mailto:katy.miller@edinburgh.gov.uk) | Tel: 0131 469 5522

## 11. Links

---

**Coalition Pledges**

**Council Priorities**

**Single Outcome  
Agreement**

**Appendices**

Appendix 1 – Analysis of re-employment and re-engagement  
after VERA/VR

## Re-employment after VERA or VR

(staff re-employed within the one year time period)

Service Area	Number of staff re-employed	Type of contract re-employed to	New post
Communities and Families	19	17 supply/casual 2 Fixed Term	Residential Care Officer (Locum) – 16  Supply Nursery Nurse – 1  1 Probationary Teacher – (Fixed Term)  1 School Administrator (Fixed Term)
Health and Social Care	1	Permanent	Social Care Worker
Place	3	Casual	Relief Facilities Asst (1) Civil Ceremony Celebrant (1) ITS – translation service asst (1)
<b>TOTAL</b>	<b>23</b>		

1 further ex-employee has been employed by a Council company.