

**TAFLEN BENDERFYNIAD AELOD CABINET
CABINET MEMBER'S DECISION NOTICE**

PWNC/SUBJECT:

Diwygio Cynllun Iawndal Diswyddo Athrawon
Amend Teachers' Redundancy Compensation Scheme

AELOD CABINET/CABINET MEMBER

Cynghorydd / *Councillor* Peredur Jenkins

PENDERFYNIAD/DECISION

Caniatau uchafswm tâl o 30 wythnos fel iawndal diswyddo i athrawon 60+ oed, a sydd â mynediad at bensiwn heb ostyngiad actiwaraid, yn weithredol oddi ar y 1af o Ragfyr, 2015

Provide a maximum of 30 weeks' pay as redundancy compensation for teachers aged 60+, and who have access to a pension without actuarial reduction, to become operational as from the 1st December, 2015.

RHESYMAU DROS Y PENDERFYNIAD/REASONS FOR THE DECISION

Bu i'r Cabinet, yn ei gyfarfod ar Fawrth 17^{eg} 2015 ddiwygio'r Cynllun Iawndal Diswyddo Athrawon, yn bennaf er mwyn ei gysoni hefo'r telerau disgresiynol o fewn y cynllun cyfatebol ar gyfer gweddill gweithlu'r Cyngor.

Tynnwyd sylw fodd bynnag at un anghysondeb oedd yn parhau, sef y telerau ar gyfer athrawon 60+ oed. Mae telerau'r Cynllun Iawndal Diswyddo Athrawon oddi ar y 1af o Fedi, 2015 yn caniatu tâl o hyd at 45 wythnos fel iawndal diswyddo i athrawon 60+ oed tra bo telerau'r Cynllun cyfatebol ar gyfer Gweithwyr Llywodraeth Leol yn caniatu tâl o hyd at 30 wythnos fel iawndal diswyddo.

Yn sgîl hynny, ymgynghorwyd ymhellach gyda cynrychiolwyr yr undebau athrawon yn ystod Tymor yr Haf. Derbyniwyd un ymateb yn unig gan undeb yr NUT sy'n nodi nad yw'r undeb hwnnw yn gwrthwynebu'r newid pellach i delerau'r Cynllun Iawndal Diswyddo Athrawon ond ei fod am i'r newid ddod yn weithredol cyn cyhoeddi sefyllfaoedd posib o ormodedd mewn ysgolion yn ystod Tymor yr Hydref.

Cafwyd barn gyfreithiol eisoes yn datgan nad yw'r penderfyniad yn gwahaniaethu ar sail oedran.

The Cabinet at its meeting on the 17th March 2015 amended the Teachers' Redundancy Compensation Scheme, primarily in order to make it consistent with the discretionary terms of the corresponding scheme for the remainder of the Council's workforce.

Attention was brought however to one remaining inconsistency, namely the terms for teachers aged 60+. The terms of the Teachers' Redundancy Compensation Scheme as from the 1st September, 2015 provides a maximum of 45 weeks' pay as a redundancy payment for teachers aged 60+ whilst the corresponding Scheme for Local Government Workers provides a maximum of 30 weeks' pay as a redundancy payment.

Consequently, a further consultation was held with representatives from the teachers' unions during the Summer Term. Only one response was received, from the NUT, which notes that it does not oppose the further amendment to the Teachers' Discretionary Compensation Scheme but that it would want the amendment to become operational prior to the declaration of possible redundancy situations in schools during the Autumn Term.

Legal advice has already been received which states that the decision does not discriminate on the basis of age.

BARN Y SWYDDOGION STATUDOL/VIEWS OF STATUTORY OFFICERS

1. Y Prif Weithredwr/Chief Executive:-

Bu i'r Cabinet gymeradwyo newidiadau i'r Cynllun lawndal Diswyddo Athrawon ar yr 17 o Fawrth eleni ac hynny er mwyn cysoni telerau'r Cynllun gyda'r rhai ar gyfer gweddill staff y Cyngor.

Mae'r penderfyniad hwn yn unioni yr un elfen o'r Cynllun ar gyfer Athrawon sy'n parhau yn anghyson hefo'r Cynllun cyfatebol ar gyfer gweithwyr llywodraeth leol.

Mae'n rhesymol felly i'r Aelod Cabinet gymryd y penderfyniad hwn ar sail yr arweiniad sydd eisioes wedi'i roi gan y Cabinet.

The Cabinet approved amendments to the Teachers' Redundancy Compensation Scheme on the 17 March this year and did so in order to harmonise the Scheme's terms with those for other Council staff.

This decision harmonises the one element of the Teachers' Scheme which remains inconsistent with the corresponding Scheme for local government workers.

It is therefore reasonable for the Cabinet Member to make this decision on the basis of the guidance already provided by Cabinet.

2. Swyddog Monitro/ Monitoring Officer:-

“Roedd diwygio'r Cynllun lawndal Diswyddo Athrawon wedi bod yn destun cyngor cyfreithiol ym mis Mawrth. Mae'r cyngor yna yn briodol yng nghyd-destun y newid yma hefyd, ac wedi ei ystyried wrth lunio'r cynigion presennol. Yn y sefyllfa yma, nid oes sylwadau pellach o safbwynt priodoldeb.”

“The amendment of the Teachers’ Redundancy Compensation Scheme was the subject of legal advice in March. This advice is also appropriate in the context of this amendment and has been considered when constructing the current proposals. In this situation, there are no further comments relating to propriety”.

3. Prif Swyddog Cyllid/Chief Finance Officer:-

“Wrth i’r Cabinet benderfynu ar 17 Mawrth 2015 i newid y Cynllun lawndal Diswyddo Athrawon, nodais yn fy sylwadau y dylid negodi ymhellach i leihau’r tâl diswyddo i athrawon sydd 60+ oed, a sydd â mynediad at bensiwn heb ostyngiad actiwaraid, o 45 wythnos i 30 wythnos lle’n briodol. Byddai hyn er mwyn unioni un anghysondeb o fewn y cynllun newydd. Mae’r penderfyniad a nodir ar y Daflen yma yn unioni’r anghysondeb hwn a felly’n cwblhau’r gwaith o unioni amodau diswyddo athrawon gydag amodau cyffelyb ar gyfer staff eraill y Cyngor. Rwyf yn cefnogi’r penderfyniad.

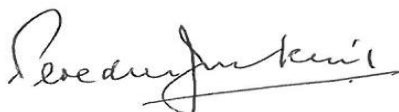
When the Cabinet decided on 17 March 2015 to amend the Teachers’ Redundancy Compensation Scheme, I noted in my comments that we should negotiate further to reduce the redundancy payments for teachers aged 60+, with access to a pension without actuarial reduction, from 45 weeks to 30 weeks where appropriate. This would be to rectify one inconsistency within the new scheme. The decision recorded in this Notice rectifies this inconsistency and therefore completes the work of reconciling conditions for teachers’ redundancies with equivalent conditions for other Council staff. I support the decision.”

BARN YR AELOD LLEOL/VIEW OF LOCAL MEMBER

***Dim yn fater lleol
Not a local matter***

LLOFNOD /SIGNED

DYDDIAD/DATE



25/08/15
