

MARS FAQ

A Mutually Agreed Resignation scheme is where employees can apply to leave their employment on a mutually agreed date with an additional payment.

The MARS scheme is open from **6th November 2023** and the closing date for application is **24th November 2023**. Applications will be reviewed, and decisions made by Senior Management after the closing date.

These FAQs will be updated as necessary to cover additional questions raised by staff.

The following frequently asked questions covers the follows:

- [Eligibility](#)
- [Resignation notice period](#)
- [Process](#)
- [Payments](#)
- [Leaving and re-employment](#)

Who is eligible to apply for MARS?

All permanent employees of the Council, with at least one year's continuous service, as at the closing date for applications, are eligible to apply. There is no contractual requirement that employees must apply it is at their discretion. It is also at the Council's discretion when the scheme is offered to employees and what the terms and conditions will be for that specific offer with the Council reserving the right to amend the scheme.

However there are some exclusions:

- Employees employed by a School
- Employees who are in a consultation process which may result in their role being at risk of redundancy.
- Employees who have indicated their intention to resign and/or retire prior to the scheme going live.
- Where an employee has already secured employment with another employer.
- Where an employee has been notified of the date of the termination of their contract of employment for any other reason.
- Temporary Employees, Consultants, Casual Workers and Apprentices are not eligible to apply

Is it guaranteed?

No. Each application will be considered on a case by case basis taking into account service requirements, function, structure, your job role, and affordability. The Council may accept or reject an application at its absolute discretion. There is no right of appeal.

Will I be paid a notice period?

In most circumstances staff will be required to work their notice period. If for any reason this is not possible then in exceptional circumstances employees may be paid for their notice

period. Any notice pay would be subject to the appropriate statutory deductions (i.e. tax and national insurance payments).

This means that leaving dates will be agreed on a case by case basis taking into account of an individual's notice period and the needs of the business.

How do I make a request for MARS?

Employees wishing to apply for MARS should complete the form on MyView

Please be mindful of the closing date. All applications must be received by People Management before the closing date.

How will the decisions be made and by whom?

The main criteria are included in the scheme and a decision on individual applications will take place following a review of your MARS application. These dates for the decision process are shown in the scheme. All applications will be scrutinised and the final decision taken by the Executive Management Board.

What happens if more than one person applies from the same area or team?

If several applications come forward from one business area and / or team and cannot all be accommodated, all applications are to be rejected. As the main criteria are based on cost savings and recruitment and retention difficulty, it would not be feasible to approve a selection of applications and this could potentially lead to either direct or indirect discrimination.

When will I be informed if I have been successful or unsuccessful with my request for MARS?

Confirmation of your application being successful or unsuccessful will be sent to you, by e- mail/post as appropriate, as soon as is practicably possible following the final decision/approval. For details of the timeframes refer to the guidance document.

If I am unsuccessful, can I appeal?

No. There is no appeal process for MARS applications.

What if my application was to be rejected, will I be disadvantaged in the future for development opportunities?

The Council will ensure ongoing equity in management for those whose applications are unsuccessful – rejection of an application must not impact on future training or promotion opportunities. This will be ensured through line manager engagement sessions, briefings and Council communications.

Can I withdraw my application?

We appreciate that circumstances can change, with this in mind if you wish to withdraw your application for MARS, you can do this at any time, however we would be grateful if you could do this before a decision on your application has been made. You can do this by emailing or writing to People Management at the above address.

How are payments calculated?

The Payment Table (see Appendix 2 of the Scheme) details the severance payments which are based on the employee's reckonable service calculated on the Redundancy Payment Modification Order (RPMO) regulations. The Council reserves the right to review this payment table prior to each round of application invitations. Payments are based on:

- Employees with 1-6 completed years' service (as at the agreed date of leaving) will receive the equivalent of 12 weeks' basic pay.
- Employees with 7- 25 completed years' service (as at the agreed date of leaving) will receive 12 weeks' pay plus an additional 1 week's basic pay for each additional year's service up to a maximum of 31 week's basic pay.
- Employees with 26 plus completed years' service (as at the agreed date of leaving) will receive a maximum of 32 week's basic pay.

What is basic pay?

Basic pay is defined as the pay you receive based on your salary scale as stated on your pay slip. It does not include any additional payments such as:

- Overtime payments
- Standby allowance
- On call payments
- Acting up payments
- Market Factor Supplements
- Sleep in payments

The payment is calculated using your gross basic pay (i.e. before tax and other deductions). The actual payment you will be entitled to receive will be confirmed to you when you receive notification of the outcome of the application assuming this is successful.

Will the above payment include any outstanding annual leave?

Employees should agree with their manager when they should take their annual leave prior to their last day of service. If this is not possible due to operational requirements, any outstanding leave that is due until the last day of service will be paid in lieu.

I am also a casual worker for the Council; will my pay for this role be taken into consideration?

The MARS payment will only be on your substantive role with the Council.

My pay is currently protected due to organisational change, would my MARS payment be on the salary scale of my new role or my protected salary?

The MARS payment will be on your protected salary if your request is agreed before the end of the period of your salary protection.

Are MARS payments free of tax and national insurance contributions?

Our understanding of how other public sector organisations have implemented MARS is that the first £30,000 of any termination payment qualifies for tax exempt status.

I have continuous service from another local authority, is this taken into account in calculating my MARS payment?

Yes. Reckonable service is continuous service within local government and other recognised employers not just with the Council. This continuous service will be recognised for those employers covered by the RPMO regulations only.

I am currently on secondment, which role will the basic pay come from?

Your basic pay will be calculated on your substantive post not any secondment or acting up roles.

If I leave under MARS can I be re-employed by the Council?

Yes, but not for a period of 2 years. The 2 years period is with effect from your last day of service with the Council.

Can I work for the Council through an agency?

Yes, but not for a period of 2 years. The 2 year period is with effect from your last day of service with the Council.

Can I work for the Council as a casual employee?

Yes, if you are already a casual worker and your MARS application was agreed on your substantive post.

If I have any annual leave outstanding can this be paid to me?

The leaving date and the arrangements for any outstanding leave must be agreed with the employee's line manager following confirmation that the MARS application has been accepted. You will be asked to take your outstanding annual leave prior to your last day of service. If this is not possible, due to service requirements, in agreement with your manager any outstanding leave will be paid in lieu.

If I apply for other work elsewhere what will be included in my employment reference?

The Council has an Employment Guidance document on references and any reference given

for employees leaving under the MARS policy will need to comply with this guidance.

What happens to my pension if I leave the Council under MARS?

As MARS is not a redundancy or efficiency scheme it is not part of the Council's Pensions Discretionary Policy post April 2014. However Local Government Pension Scheme Members aged 55 and over at the date of leaving the Council will be entitled to receive unreduced benefits when they reach their Normal Pension Age or receive reduced benefits if they elect to receive their pension benefits earlier. Details of the Council's policies and contact details for the Merseyside Pension Fund (MPF) can be found on the Intranet. The Fund will write to you shortly after your Termination Date, with details of your accrued benefits.

Local Government Pension Scheme Members aged under 55 at the date of leaving will have any pension benefits deferred. Future access to benefits will be determined under the conditions of the scheme, which are available on the MPF website.

I am currently in a Council salary sacrifice scheme, what should I be doing?

You should contact the relevant salary sacrifice scheme provider as there may be early termination and end of contract charges which will need to be deducted from your final salary. Details of the Council's salary sacrifice providers are available on the Intranet.

I am currently subject to Disciplinary, Capability or Attendance Management procedures; can I still apply?

Employees who are subject to Disciplinary, Capability or Attendance Management procedures will not be excluded from applying for MARS. However, if they are still subject to the Disciplinary procedure or are in the latter stages of the Capability or Attendance Management procedures at the point where the decision-making panel meets then the panel will turn down the application. This will be set out clearly in the guidance for decision making panel.

I have two jobs with the Council, can I take MARS from one and still carry on working in the other?

Yes, if you have two or more separate assignments you can apply to leave through MARS from one job, whilst continuing to work in the other/s.

Has your question been answered?

If not, please contact People Management.