

## PERSONNEL COMMITTEE MINUTES - 14 JULY 2016

**Present:** Councillor Lovelock (Chair);  
Councillors Gavin, Khan (in place of Councillor Page), Skeats  
and Terry.

**Also Present:** A Barker (for items 1 and 2), W King

**Apologies:** Councillor Page

### 1. MINUTES

The Minutes of the meetings held on 3 March 2016 and 15 April 2016 were confirmed as correct records and signed by the Chair.

### 2. KENNET DAY NURSERY FEES INCREASE

The Director of Education, Adult and Children's Services submitted a report on a proposed increase in fees for the Kennet Day Nursery.

The report explained that the last fee proposal had been agreed in 2013/14, which required the nursery to run on a self-funding basis with a zero budget build. In order to achieve this, a consistent 85% occupancy level was required throughout the year and the fees had been increased by 2%, effective from October 2014. The report stated that there had been no increase of fees since that date. It was now proposed to increase nursery fees for 2016/17 by 2%, to achieve a zero based budget calculated on an occupancy level of 85% throughout the year, with a number of in-year savings.

**Resolved -**

- (1) That the fee structure for Kennet Day Nursery be increased by 2% to apply from 1 August 2016 as follows:

£213.40 per week (RBC Users)

£234.10 per week (Non-RBC Users)

- (2) That the current supplement of £2 a day for children aged under 2 years and the current discount of £2 a day for siblings, continue unchanged.

### 3. HOLIDAY PAY

The Interim HR/Payroll Services Manager, submitted a report informing the Committee of recent case law relating to Holiday Pay and the process that the Council had gone through in order to ensure that it did not find itself at risk of individual claims from employees.

The report explained that where the Council's employees regularly worked overtime, it was current practice to pay them only their normal salary (not including the overtime) when they were on annual leave. Current case law had established that this approach was in breach of the Working Time Directive enacted in 1993, as amended in 2003.

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The report explained the work that officers had undertaken to establish the risk to the organisation and the options that had been considered to remedy the situation. The report recommended that for every pound of additional hours there was an entitlement to an extra 8.33% to take account of the requirements of the working Time Directive. The report explained that the Joint Trade Unions had been consulted on the legislation and impact in Reading, and agreement had been reached, subject to the endorsement of the Committee, that the enhancement would be paid with effect from 1 July 2016 to workers working extra hours on standby or as ad-hoc overtime.

An Equality Impact Assessment had been conducted in relation to the proposal and this was attached as Appendix 1 to the report.

**Resolved - That the approach to compliance with the Working Time Directive proposed in section 4.2 of the report be approved.**

### **4. SHARED PARENTAL LEAVE - REVIEW OF POLICY AND SYSTEMS**

The Interim HR/Payroll Services Manager, submitted a report providing the Committee with an update following the implementation of the Shared Parental Leave Policy in April 2015.

The report explained that Shared Parental Leave was a new entitlement for parents of babies due, or children placed for adoption, on or after 5 April 2015. The Policy allowed mothers/adopters to end their maternity/adoption leave and pay to share the untaken balance of leave and pay as shared parental leave with their partner.

The report stated that since April 2015, no employees had yet taken up the option of shared parental leave but one individual had applied and his leave was due to start in August 2016. The Committee noted that HR would recirculate the policy to remind staff of the existence of this option.

**Resolved - That the report and uptake of Shared Parental Leave be noted.**

### **5. PROCESS FOR RECRUITMENT OF PERMANENT MANAGING DIRECTOR**

The Interim HR/Payroll Services Manager, submitted a report setting out the process for recruitment of a permanent Managing Director.

The report explained that the previous Managing Director, Ian Wardle, had left the Council on 3 July 2016 and his post was currently being covered by an Interim Managing Director, Simon Warren. The report stated that the process to recruit a replacement Managing Director would require the assistance of an external executive recruitment organisation, working in partnership with Members. From the five executive recruitment organisations that had expressed an interest, a shortlist of three had been drawn up to present their proposals to Members.

**Resolved -**

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- (1) That the Committee take forward the process to choose a recruitment consultant provider from a shortlist of three to assist with the recruitment of a permanent managing Director;
- (2) That the Committee work with the chosen provider to design a process and timetable to recruit a permanent Managing Director;
- (3) That the Committee select a preferred candidate for the position of Managing Director and make that recommendation to full Council.

### 6. EXCLUSION OF THE PRESS AND PUBLIC

**Resolved -**

That pursuant to Section 100A of the Local Government Act 1972 (as amended) members of the press and public be excluded during consideration of the following item, as it was likely that there would be disclosure of exempt information as defined in paragraph 1 of Part 1 of Schedule 12A (as amended) to that Act.

### 7. EARLY RETIREMENTS AND REDUNDANCIES

The Interim HR and Payroll Services Manager, the Monitoring Officer and the Head of Finance submitted a joint report, which set out six requests for terminations of employment on the grounds of redundancy, and one request for flexible retirement.

The proposals, together with the financial implications, were set out in a schedule appended to the report on the following basis:

- The financial case was given which represented the highest cost to the Council. In most cases this included discretionary added years on pension (where payable), as this represented a direct and ongoing cost to the Council. This was in accordance with the Council's current practice of considering redundancy and retirement terms up to the maximum limit of discretion, where applicable. The Committee was asked to approve individual proposals subject to a maximum ceiling on the exercise of discretion;
- The financial implications were costed on the basis of the estimated figures, which were subject to final confirmation. The figures might be affected by changes to final salary, pensionable service, age or date of leaving. The Committee was asked to approve the proposals on the basis of the estimated figures, subject to any individual proposal being brought back to Committee if the confirmed costs were more than 10% in excess of those reported;

The report sought approval for the payment of a compensation package in the case of proposed termination of employment on grounds of redundancy, subject to the conclusion of all outstanding matters in each case, including ongoing consultation with employees and their representatives, and efforts to secure alternative employment, where appropriate.

**Resolved -**

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- (1) That termination of employment on the grounds of redundancy of employees A, B, C, E, F, and G, and the flexible retirement of employee D be approved and the payment of a compensation package in specific cases of termination of employment on grounds of redundancy and the waiving of actuarial reduction of pension in the case of flexible retirement, be approved on the terms set out in the schedules appended to the report subject to the conclusion of all outstanding matters in each case, including ongoing consultation with the employees and their representatives and efforts to secure alternative employment, where appropriate;
- (2) That the proposal set out in (1) above be approved on the basis of the financial implications set out in the appendices to the report, and that authority to conclude the proposal be delegated to the Head of Finance, Monitoring Officer and HR and Payroll Services Manager (acting jointly) within that framework, and subject to the maximum ceiling identified for the proposal;

(Exempt information as defined in Paragraph 1).

(The meeting commenced at 6.30 pm and closed at 6.50 pm).