

PERSONNEL COMMITTEE MINUTES -5 MARCH 2015

Present: Councillor Lovelock (Chair);
Councillors Page and Terry.

Also Present: W King, J Littlefair (for items 27 to 30), K Magee (for items 27 to 30), I Wardle and R Woodford.

Apologies: Councillor Gavin and Skeats.

RESOLVED ITEMS

27. MINUTES

The Minutes of the meeting held on 11 December 2014 were confirmed as a correct record and signed by the Chair.

28. PROCEEDINGS OF THE LOCAL JOINT FORUM

The Managing Director submitted the proceedings of the Local Joint Forum meeting held on 3 February 2015.

Resolved - That the proceedings of the Local Joint Forum meeting be received.

29. PAY POLICY 2015/2016

The Interim HR/Payroll Services Manager submitted a report that sought input from the Committee on the development of the 2015/16 Pay Policy and guidance on the next steps that would need to be completed prior to submission to the 24 March 2015 meeting of Council. A copy of the Pay Policy Statement 2015/16 was attached to the report at Appendix 1.

The report explained that local authorities were required under section 38(1) of the Localism Act 2011 to prepare a Pay Policy Statement. The Statement had to articulate the Council's policy towards the pay of the workforce, particularly senior staff and the lowest paid employees. The Council had published its first Pay Policy Statement in April 2012; subsequently the Statement had been amended in a number of respects.

The report explained that each local authority was an individual employer in its own right and had the autonomy to make decisions on pay that were appropriate to local circumstances and which delivered value for money for local taxpayers. The provisions of the Localism Act did not seek to change this or to determine what decisions on pay should be taken but they did require individual employing authorities to be more open in their own policies in relation to pay and how decisions were made in this regard. Section 40 of the Act required authorities, in developing their Pay Policy Statement, to have regard to any guidance that had been published by the Secretary of State. This included Communities and Local Government guidance on Openness and Accountability in Local Pay and the Code of Recommended Practice for Local Authorities on Data Transparency (as amended).

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The Government had taken steps to increase transparency on the pay and reward of public sector employees and the Code of Recommended Practice for Local Authorities on Data Transparency had asked Councils to consider the way they released data on senior salaries. In addition, in March 2011 the Hutton Review of Fair Pay had been published which made several recommendations for promoting pay fairness in the public sector by tackling disparities between the lowest and highest paid in the public sector.

The report explained that the provisions contained in the Act had brought together the need for increasing accountability, transparency and fairness in the setting of pay which had culminated in the formation of the Council's Pay Statement, which outlined the pay and reward of the most senior employees set within the context of the pay of the wider workforce. The Act set out the specific elements which the Pay Policy Statement had to include as a minimum and required that in addition to the determination of senior salaries authorities had to make clear what approach was taken to awarding other elements of pay. The Act required that authorities included in their Pay Policy Statements their approach to the publication of and access to information relating to the remuneration of Chief Officers. The Act required that the Pay Policy Statement was produced annually and was considered in full by the Council and that the Council's approach to pay, as set out in the Statement, was accessible for Council Tax payers for them to take an informed view of whether local decisions on all aspects of remuneration were fair.

Finally, the report stated that the Hutton Report and The Code of Recommended Practice for Local Authorities on Data Transparency also suggested that the organisation's pay multiple was published.

Resolved - That the report be noted and endorsed for submission to Council on 24 March 2015.

30. INTRODUCTION OF CHANGES TO FAMILY FRIENDLY LEGISLATION 2014/15

The Interim HR/Payroll Services Manager submitted a report that set out a new Shared Parental Leave Policy following changes in legislation. A draft copy of the Shared Parental Leave Policy was attached to the report at Appendix 1.

The report explained that Shared Parental Leave (SPL) was a new legal entitlement for parents (including surrogate parents) of babies due, or children placed for adoption on or after 5 April 2015. SPL replaced additional paternity leave and pay. Parents had remained entitled to take maternity, paternity and adoption leave and shared parental leave was also available to surrogate parents.

The report contained an outline of the new legislation, the key options for the Council to consider in implementing the legislation and a draft shared parental leave policy.

Resolved -

- (1) That the changes to parental employment rights, as set out in the report, be noted;**

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- (2) That the draft Policy for Shared Parental Leave be endorsed and the amendments to other relevant HR policies, as set out in the report, be carried out as necessary;
- (3) That the bringing forward of a system to implement the Policy in March 2015 by the HR/Payroll Service be noted;
- (4) That the Policy be put into effect subject to further consultation with CMT, JTUC and other stakeholders, as necessary;
- (5) That the operation of the Policy and the systems that underpin it be reviewed in 12 months.

31. 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 paragraphs 1 and 2 of Part 1 of Schedule 12A (as amended) to that Act.

32. EARLY RETIREMENTS AND REDUNDANCIES (INCLUDING VOLUNTARY RELEASE SCHEME APPLICATIONS)

The HR and Payroll Services Manager, the Monitoring Officer and the Head of Finance submitted a joint report, which set out five requests for dismissal on the grounds of redundancy, four requests for early retirement on the grounds of redundancy, one request for retirement on the grounds of efficiency and one request for dismissal on the ground of redundancy (expiry of a fixed term contract).

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

- Financial cases were 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;
- 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;

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- The costs of early retirement on the grounds of ill health were met by the Local Government Pension Scheme or the Teachers' Pension Scheme.

The report sought approval for the payment of a compensation package in the case of proposed termination of employment or early retirement on grounds of redundancy, efficiency of the service or ill health 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 -

- (1) That the early retirement on the grounds of redundancy of employees C, E, G and H, the early retirement on the grounds of efficiency of employee F, the dismissal on grounds of redundancy of employees A, B, D and I and the dismissal on grounds of redundancy (expiry of fixed term contract) of employee J 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 proposals set out in (1) and (2) above be approved on the basis of the financial implications set out in 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.
- (3) That the current terms for agreeing compensation packages in specific cases of early retirement or termination of employment on the grounds of redundancy or efficiency be confirmed.

(Exempt information as defined in Paragraphs 1 and 2).

(The meeting commenced at 6.30 pm and closed at 6.45 pm).