

PERSONNEL COMMITTEE

Minutes of a meeting of the Personnel Committee held on Thursday, 26 June 2014 at 6.05 pm at the AFC Telford Learning Centre, Wellington, Telford

PRESENT: Councillors K S Sahota (Chairman), S Davies,
N A Dugmore, A J Eade, H Rhodes and R A Overton

PEB-1 MINUTES

RESOLVED – that the minutes of the meeting of the Personnel Committee held on 10 February 2014 be confirmed and signed by the Chairman.

PEB-2 APOLOGIES FOR ABSENCE

Councillor K R Guy.

PEB-3 DECLARATIONS OF INTEREST

Both Cllrs N A Dugmore and A J Eade declared a disclosable pecuniary interest in agenda item 4 – Local Government Pension Scheme - in relation to their respective spouses being members of the Scheme. Both Members then left the meeting room before consideration of the next item of business.

PEB-4 LOCAL GOVERNMENT PENSION SCHEME – EMPLOYER'S DISCRETIONARY POLICIES

The People Services Business Manager presented the report of the Assistant Director: Law, Democracy & People Services, which outlined the requirement on all Local Government Pension Scheme (LGPS) employers to publish policy statements relating to new discretions afforded by various LGPS Regulations.

The new Local Government Pension Scheme 2014 was introduced on 1 April, and the differences between the new scheme and the previous 2008 scheme were shown in an appendix to the report. Benefits accrued prior to 1 April 2014 were largely unaffected by the new scheme. In total there were 197 discretions under the new and previous schemes, although not all had to have a formal published policy. Policy decisions made under previous schemes remained in place since they would apply to previous membership and benefits accrued in varying circumstances. Appendix B of the report set out the discretions for which the Council had to publish a policy, together with individual recommendations and the reasoning behind them. For example, the Council had discretion to introduce a shared cost Additional Pension Contribution Scheme, but this was not being recommended due to the cost to the Authority.

Appendix C of the report set out a recommended change to the current policy in relation to early retirement in the interest of efficiency of the service. It was

felt that the current policy was too rigid, and it was being recommended that any future cases be considered on an individual basis, subject to ensuring that no-one was better off leaving on these grounds than they would have been had they been made redundant. Appendix D of the report set out a proposed policy in relation to Injury Allowances. There was discretion for the Council to make an award to an employee to receive compensation if they sustained injury or a disease in the course of carrying out their normal duties. It was recommended that any such cases be considered only in exceptional circumstances, treating each case on an individual basis.

In response to Member questions about the policy for flexible retirement, the People Services Business Manager advised that all applicants would have to submit a detailed business case which demonstrated how any additional costs to the Council would be recovered over a maximum three year period. Employees granted flexible retirement would be required to enter into a contractual arrangement which meant that they could not subsequently be appointed to posts that resulted in an increase in hours or being paid at a higher grade within a 12 month period unless there were exceptional circumstances.

In terms of the proposed delegation to the People Services Manager to make all decisions relating to LGPS discretions, it was suggested that there should be some Member awareness of this process. An amendment was therefore proposed to this recommendation, so that any decisions taken by officers would be reported on a quarterly basis to the Chair of the Committee. It was reaffirmed that any decisions relating to members of the Senior Management Team should be made by the Committee.

RESOLVED -

- (a) that the recommended employer discretions in relation to the Local Government Pension Scheme 2014, as fully set out in Appendix B of the report, be approved with immediate effect, with any resultant amendments to be made to existing discretions which are consequently affected;**
- (b) that the policy on discretions under the Local Government (Early Termination of Employment) (Discretionary Compensation) Regulations 2006 be amended with effect from 1 August 2014, so that in cases of efficiency termination or the ending of joint appointments, the individual decision be made following submission of a detailed business case, and that no more than 45 weeks be paid subject to this not being greater than any equivalent redundancy payment;**
- (c) that in relation to the Local Government (Discretionary Payments) (Injury Allowances) Regulations 2011, individual claims be considered in exceptional circumstances only, taking account of all circumstances, including any contributory negligence by the employee, in determining the amount of any award to be made, and in accordance with the process set out in Appendix D of the report;**

- (d) that, with the exception of decisions relating to members of the Senior Management Team (Assistant Directors and above), authority be delegated to the People Services Manager, following consultation with the Managing Director and the Statutory Chief Financial Officer, to make all decisions arising from discretions under the Local Government Pension Scheme Regulations – with such decisions to be reported retrospectively to the Chair of the Personnel Committee on a quarterly basis;
- (e) that decisions arising from discretions under the Local Government Pension Scheme Regulations relating to members of the Senior Management Team (Assistant Directors and above) be made by the Personnel Committee;
- (f) that Jonathan Eatough, Assistant Director: Law, Democracy & People Services, be appointed as an Independent Adjudicator to consider first stage appeals under the Internal Disputes Resolution Procedure.

The meeting closed at 6.27pm

Chair.....

Date.....