

At a meeting of the PERSONNEL COMMITTEE held in the CIVIC CENTRE on THURSDAY, 29TH OCTOBER, 2009 at 5.30 p.m.

Present:-

Councillor M. Smith in the Chair

Councillors M. Forbes, M. Smith, Trueman, S. Watson and T. Wright.

Part I

Apologies for Absence

Apologies for absence were submitted to the meeting on behalf of Councillors Allan Gofton, J. Walton, P. Watson, A. Wilson and A. Wright.

Receipt of Declarations of Interest

The following Councillors declared Personal Interests in the undermentioned reports as members of the body indicated:-

Item 5a – The Local Government Pension Scheme (LGPS) (Administration) Regulations 2008 – Employers Discretions	Councillors Trueman and T. Wright	Member of Local Government Pension Scheme
--	-----------------------------------	---

Report of the Meeting of the Personnel Committee

The report of the meeting of the Personnel Committee held on 1st October, 2009, Part I (circulated) was submitted and consideration given thereto.

(For copy reports – see original minutes).

1. RESOLVED that the report of the meeting be noted, confirmed and signed as a correct record.

Report of the Meeting of the Joint Consultative Committee

The report of the meeting of the Joint Consultative Committee held on 7th October, 2009, Part 1 (circulated) was submitted and consideration given thereto.

(For copy report – see original minutes).

2. RESOLVED that the report of the meeting be noted for information.

Report of the Meeting of the Appeals Panel

The report of the meeting of the Appeals Panel held on 7th October, 2009 Part 1 (circulated) was submitted and consideration given thereto.

(For copy report – see original minutes).

3. RESOLVED that the report of the meeting be noted for information.

Urgent Item

At this juncture in accordance with Section 100B of the Local Government (Access to Information) Act 1985 the Chairman requested a report be received to urgently consider Employer discretions.

The Director of Human Resources and Organisational Development advised the Committee that this item of business was urgent due to the pressure with individual cases which required the Council to set its Employers Discretions detailed in the report.

There were further discretions that would need to be decided, however it was proposed that these be brought to a future meeting.

4. RESOLVED that an urgent item be received.

Local Government Pension Scheme (LGPS) (Administration) Regulations 2008 – Employers Discretions

The Director of Human Resources and Organisational Development and Director of Financial Resources submitted a joint report (circulated) to inform Personnel Committee of the requirement to re-affirm current Employer Discretions and to agree the content of additional Employer Discretions.

(For copy report – see original minutes).

Members were advised that it was a requirement of the LGPS (Administration) Regulations 2008 that 'Each employing authority must prepare a written statement of its policy in relation to the exercise of its functions'. Thus employers must make, and

keep under review, Employer Discretions which govern how the pension scheme rules would be applied by the Employer. Additional Employer Discretions were in the process of review and would follow in a further report to Personnel Committee. Appendix 1 set out the current and additional Employers Discretions for consideration and decision. A number of these Employers Discretions were additional new requirements, as set out in the Local Government Pension Scheme (Administration) Regulations 2008, and these were of an administrative nature.

Councillor M. Forbes questioned the discretion relating to fraudulent action and was advised that these cases would be considered on the merits of each case by the Personnel Committee, and would only be approved if in the employer's interest to do so.

Responding to a question from Councillor T. Wright in relation to powers of the Committee, the Head of Financial Management advised that there would be numerous rules to be considered in turn and each case would be considered individually.

Consideration having been given to the matter, it was:-

5. RESOLVED that the Employers Discretions be approved, as detailed within Appendix 1 of the report.

Local Government (Access to Information) (Variation Order) 2006

At the instance of the Chairman, it was:-

6. RESOLVED that in accordance with Section 100(A)4 of the Local Government Act 1972, the public be excluded during consideration of the remaining business as it is considered to involve a likely disclosure of exempt information relating to an individual or information which is likely to reveal the identity of an individual or information relating to any consultations or negotiations, or contemplated consultations or negotiations in connection with any labour relations matters arising between the Authority and its employees (Local Government Act 1972, Schedule 12A, Part I, Paragraphs 1, 2 and 4).

(Signed) M. SMITH,
Chairman.

Note:-

The above minutes comprise only those relating to items during which the meeting was open to the public.

Additional minutes in respect of other items are included in Part II.