

MINUTES OF A MEETING OF THE  
HUMAN RESOURCES  
SUB-COMMITTEE HELD IN THE  
COUNCIL CHAMBER, WALLFIELDS,  
HERTFORD ON MONDAY, 20 JUNE  
2005 AT 11.00 AM

PRESENT: Councillor N Burdett (Chairman).  
Councillors M R Alexander, W Ashley, S A Bull,  
D Richards, M Wood.

OFFICERS IN ATTENDANCE:

Jeff Hughes	- Head of Democratic Services
George Robertson	- Head of Legal Services
David Tweedie	- Director of Resources

CONSULTANT:

Nathan Holden	- Messrs. Mills and Reeve, Solicitors
---------------	--

1 EXCLUSION OF PRESS AND PUBLIC

The Sub-Committee passed a resolution pursuant to Section 100(A)(4) of the Local Government Act 1972 to exclude the press and public during consideration of the business referred to in Minutes 7 to 9 on the grounds that they involved the likely disclosure of exempt information as defined in paragraph 1 of Part 1 of Schedule 12A of the said Act.

2 APOLOGY

An apology for absence was submitted on behalf of Councillor D E Mayes.

3 CHAIRMAN'S ANNOUNCEMENT

The Chairman welcomed to the meeting George Robertson, the Council's Head of Legal Services and Nathan Holden, a representative of the Authority's Consultant Legal Adviser, Messrs Mills and Reeve, Solicitors.

RESOLVED ITEMS

ACTION

4 ELECTION OF CHAIRMAN

RESOLVED – that Councillor N Burdett be elected Chairman of the Human Resources Sub-Committee for 2005/06.

5 MINUTES

In relation to Minute 3 of 23 December 2004 (Declarations of Interest), the Sub-Committee recalled that it had expressed concern that an individual's name was not provided in any report on staffing matters. Accordingly, without this information, a Member of the Sub-Committee would not be able to determine whether or not they had a personal or personal and prejudicial interest as a consequence of "knowing" the individual(s) concerned. The Assistant Director (Human Resources) had given an undertaking to provide this information in future.

The Head of Democratic Services detailed the individuals the subject of the reports now submitted (see Minutes 7 to 9 below).

RESOLVED – that the Minutes of the meeting of the Sub-Committee held on 23 December 2004 be confirmed as a correct record and signed by the Chairman.

6 TERMS OF REFERENCE OF THE HUMAN RESOURCES  
SUB-COMMITTEE

The Director of Corporate Governance submitted a report setting out the terms of reference of the Human Resources Sub Committee.

RESOLVED – that the report be received.

7 EARLY RETIREMENT – POSTHOLDER DC001

The Executive Director (Returning Officer) submitted a report in relation to the early retirement of postholder DC001. The Executive Director recommended that the postholder be granted early retirement on the ground of the efficient exercise of the Council's function.

The Executive Director detailed the reasons for the recommendation. The Sub-Committee noted the reasons and also recalled that the proposal was part of the review of senior management arrangements considered at the Annual meeting of Council held on 18 May 2005 (Minute 10 refers). The resources released as a consequence of this early retirement should, it was felt, be applied as a corporate saving to the Council to fund a new post of Head of Development Control.

The Sub-Committee considered the following matters in relation to the proposal now submitted and the weight to be given to each factor: -

- (a) amount of local government service;
- (b) length of East Herts service;
- (c) age;

- (d) difficulty in obtaining similar employment in a reasonable time;
- (e) speed of payback and the effect on taxpayers;
- (f) effect from staff morale that the departure terms produced;
- (g) effect on recruitment and retention of the Council's policies on departure terms;
- (h) other similar local authorities' lawful practices, where ascertainable, in relation to staff departure terms;
- (i) past lawful practices on the subject by the Authority;
- (j) equality considerations.

The Executive Director advised that the postholder was part of the Council's staff shared equity housing scheme. The Sub-Committee noted the terms of this scheme and agreed to the deferment of any payment of monies due to the Council until 1 June 2007.

The Sub-Committee supported the Executive Director's recommendations.

RESOLVED – that (A) the early retirement of postholder DC001, effective from a date to be agreed, be approved on the grounds of the efficient exercise of the Council's function,

ED(RO)/  
DOD

(B) the postholder's pensionable service be agreed as detailed in the report now submitted,

DOD/DR

(C) deferment by the postholder of the sale of the property occupied under the Shared Equity Scheme for a short period, which shall not extend beyond 1 June 2007 and requiring the payment of any sums of money due to the Council by 1 June 2007, be

DR/DOD

agreed, and

(D) resources released by the decisions at (A) and (B) above be applied as a corporate saving to the Council and to fund the new Head of Development Control.

ED(RO)

8 EARLY RETIREMENT OF POSTHOLDER HR001

The Executive Director (Head of Paid Services) submitted a report on issues relating to the redundancy and early retirement of postholder HR001.

The Sub-Committee sought clarification as to whether it was being invited to approve the redundancy or voluntary early retirement of the postholder.

The Head of Legal Services suggested that there were a number of issues, as now detailed, that required clarification. Accordingly, he suggested that consideration of this matter be deferred to a future meeting. The Sub-Committee supported this suggestion

RESOLVED – that (A) consideration of the proposals in relation to postholder HR001, as detailed in the report now submitted, be deferred to a future meeting, and

DCG/DOD

(B) further to (A) above, officers be requested to report on the matters for clarification now detailed in relation to the proposals for postholder HR001.

DCG/DOD

9 EARLY RETIREMENT OF POSTHOLDER EHC07

The Executive Director (Head of Paid Services) submitted a report on issues relating to the potential redundancy of postholder EHC07. The Sub-Committee noted that the proposals now submitted did not relate to the early retirement of this postholder as indicated in the report heading.

The Sub-Committee Chairman tabled a letter of representation from the postholder dated 15 June 2005. The Sub-Committee noted the content of this letter.

The Sub-Committee expressed concern that the criteria for the proposed redundancy payment were not clear. It agreed, therefore, to defer consideration of this matter to a future meeting. Officers were requested to ensure that clear and reasonable criteria for making any proposed payment were identified in the subsequent report.

The Sub-Committee noted that the postholder was currently undertaking the duties of the Director of Direct and Contract Services for a trial period under the Authority's redeployment policy. If confirmed in this post, any redundancy proposal for the postholder (and associated notice of redundancy) would not be relevant. There were no implications in relation to any redundancy payment as a consequence of the trial redeployment.

The Sub-Committee, in relation to both this item and the matter detailed at Minute 8 above, expressed further concern that Member and officer time had been wasted attending this meeting as the reports did not contain all necessary information on which to base reasonable decisions.

RESOLVED – that (A) consideration of the proposals in relation to postholder EHC07, as detailed in the report now submitted, be deferred to a future meeting, and

DCG/DOD

ACTION

(B) further to (A) above, officers be requested to report on clear and reasonable criteria in relation to any proposals for postholder EHC007.

DCG/DOD

The meeting closed at 11.36 am

K:\BSWP\NPS\Human Resources\20 June 2005\Minutes 20 June 2005.doc

Chairman.....

Date.....