

MINUTES OF A MEETING OF THE  
HUMAN RESOURCES COMMITTEE  
HELD IN THE COUNCIL CHAMBER,  
WALLFIELDS, HERTFORD ON  
TUESDAY, 7 NOVEMBER 2006 AT  
5.00 PM

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PRESENT: Councillor D A A Peek (Chairman).  
Councillors S A Bull (as substitute for Councillor  
P A Ruffles), A M Graham, Mrs D M Hone,  
M P A McMullen, J O Ranger, S Rutland-Barsby.

OFFICERS IN ATTENDANCE:

Anne Fisher	- Chief Executive
Gerald Balabanoff	- Interim Director of Organisational Development
Jeff Hughes	- Head of Democratic Services
Tina Nash	- Head of Human Resources

344 APOLOGY

An apology for absence was submitted on behalf of Councillor P A Ruffles. The Committee noted that Councillor S A Bull was in attendance as substitute for Councillor Ruffles.

345 EXCLUSION OF PRESS AND PUBLIC

The 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 Minute 348 on the grounds that it involved the likely disclosure of exempt information as defined in paragraph 1 of Part 1 of Schedule 12A of the said Act.

RESOLVED ITEMSACTION346 MINUTES

RESOLVED - that the Minutes of the Human Resources Committee meeting held on 19 October 2006 be confirmed as a correct record and signed by the Chairman.

347 POLICY FOR INCREASED YEARS TO RETIRING EMPLOYEES UNDER THE PENSION REGULATIONS

The Chief Executive submitted a report inviting the Committee to approve a proposed policy relating to Part III of the Local Government Pension Scheme Regulations 1997.

The Committee noted that, under regulation 52 of the Regulations, Council may resolve to increase the total pension scheme membership (i.e. the number of pensionable years service) of a member (employee).

The Chief Executive explained that, under regulation 106, Council must have in place a policy before it could exercise its discretionary functions under Part III of the Regulations.

The Committee noted the details of the proposed policy on this matter.

The Interim Director of Organisational Development updated the Committee on the current status of proposed revisions to existing pension scheme regulations to take account recent age discrimination legislation. He reminded the Committee that Council had previously awarded "added years" to an employee under the Local Government (Early Termination of Employment) (Discretionary Compensation) (England and Wales) Regulations 2000. These regulations were, however, due to be repealed. In future, the only discretion to increase an employee's pension scheme membership would be under regulation 52 of the Local

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Government Pension Scheme Regulations 1997. It was understood that this regulation would not be affected by changes to pension regulations necessary to meet age discrimination provisions.

The Committee noted further that, under regulation 52, the additional period of membership must not exceed:

- the member's total membership on the date they left their employment ("the relevant date");
- the period by which that period falls short of 40 years;
- the period by which that period would have been increased if they had continued as an active member until they were 65; or
- 6 243/365 years.

The Chief Executive advised that it was suggested that the current policy to exercise discretionary powers under the Regulations of 2000 be used to exercise discretionary powers under regulation 52 of the Regulations of 1997.

The Committee noted the comments of UNISON on this issue as submitted by the local branch Secretary under cover of an 'e'-mail dated 2 November 2006. UNISON supported the proposed policy.

The Committee approved the proposed policy unanimously.

RESOLVED - that East Herts Council's policy under regulation 106 of the Local Government Pension Scheme Regulations 1997 be the same as the Council's policy (so far as relevant) under the Local Government (Early Termination of Employment) (Discretionary Compensation) (England and Wales) Regulations 2000.

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ACTION348 REDUNDANCY ARISING FROM REORGANISATION

The Leader of the Council submitted a report advising that the postholder EH04 had volunteered for redundancy and detailing a proposed redundancy and early retirement package for the postholder.

The Committee recalled that, at its meeting held on 31 August 2006 (Minute 201 refers) it had recommended Council to approve new senior management arrangements for the Council. Council subsequently supported the Committee's recommendation and agreed that a new senior management structure of a Chief Executive and three Directors be established.

The Committee noted that the existing senior management structure comprised four directors and two interim directors engaged on a consultancy basis.

The Committee considered the following matters individually in relation to the proposed redundancy and early retirement of this postholder and the weight to be given to each factor:

- (a) the prudent and efficient management of the Council's affairs in the interests of its taxpayers;
- (b) achieving best value in public expenditure to the benefit of Council taxpayers in the wider community;
- (c) the maintenance of excellent working relationships with ongoing employees and the trade union;
- (d) sustaining staff morale;
- (e) paying reasonable compensation, wholly within legal limits;
- (f) compliance with the Council's equal opportunities

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policy;

- (g) having regard to the extent to which the exercise of the Council's discretionary powers, unless properly limited, could lead to a serious loss of confidence in the public service;
- (h) to be satisfied that the policy was workable, affordable and reasonable having regard to the foreseeable costs.

The Committee noted the financial implications of the early retirement of this postholder.

The Committee unanimously approved the redundancy and early retirement of postholder EH04, the redundancy payment for the postholder as detailed in the report and an enhancement of the postholder's pensionable service by the added years now detailed in accordance with the relevant Council policy.

RESOLVED - that (A) the redundancy and early retirement of postholder EH04 be approved;

(B) postholder EH04's redundancy payment under regulation 5 of the Local Government (Early Termination of Employment) (Discretionary Compensation) (England and Wales) Regulations 2000 and the Council's Policy for Compensation on Severance (2003) be as detailed in the report now submitted, and

(C) postholder EH04's total membership be increased under regulation 52 of the Local Government Pension Scheme Regulations 1997, as amended by the Local Government Pension Scheme (Amendment) Regulations 2004 and the Council's Policy for Compensation on Severance (2003) and adopted for the purpose of regulation 52 (2006) and be as detailed in the report now

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submitted.

The meeting closed at 5.50 pm.

Chairman	.....
Date	.....