

MINUTES OF A MEETING OF THE
HUMAN RESOURCES COMMITTEE
HELD IN THE COUNCIL CHAMBER,
WALLFIELDS, HERTFORD ON
THURSDAY, 14 DECEMBER 2006 AT
5.00 PM

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

ALSO IN ATTENDANCE:

Councillors M R Alexander, A P Jackson (who left
the meeting during consideration of the matter
recorded at Minute xxx below).

OFFICERS IN ATTENDANCE:

Anne Freimanis	- Chief Executive
Gerald Balabanoff	- Interim Director of Organisational Development
Jeff Hughes	- Head of Democratic Services

ALSO IN ATTENDANCE:

Jane Sharp	- UNISON Representative (for item recorded at Minutes 437 below)
Andrew Stevenson	- UNISON Representative (for items recorded at Minute 437 - below)
David Tweedie	- Director of Resources (for the matter detailed at Minute 444 below)

433 CHAIRMAN'S ANNOUNCEMENT

The Chairman asked Members present whether or not they had received all agenda papers for this meeting. In particular, he highlighted a (private and confidential – not for publication) letter dated 8 December 2006 circulated by the Interim Director of Organisational Development. Members confirmed that they had received all papers issued in respect of this meeting.

434 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 444 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.

RECOMMENDED ITEM**ACTION**435 **DEPARTMENTAL REORGANISATION (1)**
(See also Minutes 443 and 444 below)

The Committee supported the Leader of the Council's recommendation concerning the appointment of a successor Chief Financial Officer (appointed under Section 151 of the Local Government Act 1972) in relation to the decision taken in respect of the post of Director of Resources.

RECOMMENDED – that, in the event that David Tweedie (postholder EHC09) ceases to be an officer before the appointment of a successor as Chief Financial Officer (appointed under Section 151 of the Local Government Act 1972), Simon Chancellor (postholder RC001) be appointed to this post until a successor takes up office as Director of Internal Services.

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ACTIONRESOLVED ITEMS436 MINUTES

RESOLVED – that the Minutes of the Human Resources Committee meeting held on 7 November 2006 be confirmed as a correct record and signed by the Chairman.

437 COMPENSATION ON REDUNDANCY

The Leader of the Council submitted a report inviting the Committee to review the Authority's staff redundancy policy.

The Interim Director of Organisational Development explained the implications of recent legislative changes in relation to this matter, with particular reference to pension augmentation.

UNISON's representations concerning the new compensation regulations relating to redundancy/pension augmentation were presented by Jane Sharp.

The Committee noted that the Local Joint Panel had considered this matter at its meeting held on 29 November 2006. The deliberations of the Panel were reported and the Interim Director of Organisational Development provided further information on the multipliers being used by some local authorities under the provisions of the Local Government (Early Termination of Employment) (Discretionary Compensation) (England and Wales) Regulations 2006.

The Committee noted UNISON's request for the Authority to retain pension augmentation for employees aged 50 and over when made redundant.

The Interim Director of Organisational Development stated that the Local Government Employers had advised that the

ACTION

Authority could have a policy, with careful wording, that would allow for the payment of redundancy and pension augmentation. Pension augmentation would be up to a maximum of six years eight months.

The Committee further noted that the Local Government Employers had advised that it was not clear that pension augmentation was an age related benefit under new regulations. If it was not, then the Authority would have to justify objectively any award. If it was, then the amended exemption could be relied on in redundancy cases but not efficiency cases where employees were not an active or prospective pension scheme member on the 1 December 2006.

The Interim Director commented that, if the Authority was minded to have a policy that provided full pension augmentation, officers should then seek independent advice on this aspect. The advice to be sought would include whether or not the Authority could stipulate that augmentation would only be an option for employees aged 50 and over at the date of redundancy.

The Committee considered this matter in detail and sought a joint employee/employer agreement. To facilitate such agreement, the Committee adjourned on two occasions to enable further negotiations to take place with the UNISON representative.

The Chief Executive reported that a joint agreement could be achieved on the basis now detailed. The Committee supported the proposed joint agreement as reflected in the decision recorded below.

RESOLVED – that the following policy be adopted for the purpose of the Local Government (Early Termination of Employment) (Discretionary Compensation) (England and Wales) Regulations 2006:

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(A) that the Council not exercise the powers in regulation 5 nor pension regulation 52;

(B) that in any case to which the regulations apply, the Council will exercise the powers in regulation 6 to pay 2.6 x number of weeks in the statutory redundancy table x actual weekly pay;

(C) that employees may opt that compensation (except statutory redundancy pay) may be used to buy added years before their employment terminates;

(D) that it be noted that statutory redundancy pay cannot be offset against pensions or lump sums paid from the pension scheme;

(E) that efficiency cases (if any) be dealt with on a one off basis as set out in the report submitted to the Local Joint Panel meeting held on 29 November 2006; and

(F) that the new policy be published and come into force one month from publication and applied to all redundancy notices from that date.

438 POLICY AND PROCEDURE FOR ACHIEVING
ORGANISATIONAL CHANGE AND REDEPLOYMENT
POLICY

The Leader of the Council submitted a report inviting the Committee to consider and approve the following revised policies and procedures:

- Achieving organisational change.
- Redeployment.

The Committee noted that both of the policies and procedures now detailed had been supported by the Local

ACTION

Joint Panel meeting held on 29 November 2006. Each revised policy and procedure was appended to the report now submitted.

The Committee supported the Leader's recommendation that the revised policies and procedures relating to achieving organisational change and redeployment be adopted.

RESOLVED – that (A) the policy and procedure for achieving organisational change be approved and adopted; and IDOD

(B) the redeployment scheme be approved and adopted. IDOD

439 FLEXIBLE WORKING SCHEME

The Leader of the Council submitted a report inviting the Committee to consider and approve a revised Flexible Working Scheme for the Authority.

The Committee noted that the revised scheme, appended to the report now submitted, had been supported by the Local Joint Panel meeting held on 29 November 2006.

The Committee supported the Leader's recommendation that the revised scheme for flexible working be adopted.

RESOLVED – that the flexible working scheme, appended to the report now submitted, be approved for adoption. IDOD

440 DATES OF FUTURE MEETINGS

The Head of Democratic Services submitted a report inviting the Committee to confirm dates for its meetings for the remainder of the current civic year.

The Committee recalled that provisional meetings had been scheduled for:

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Thursday 25 January 2007; and
Thursday 22 March 2007.

The Committee confirmed these dates.

RESOLVED – that further meetings of the Human Resources Committee be held on 25 January and 22 March 2007 at 5 pm.

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441 LOCAL JOINT PANEL – MINUTES: 29 NOVEMBER 2006

The Committee noted the Local Joint Panel recommendations in relation to revised Human Resources policies and procedures made at its meeting held on the 29 November 2006 (Minutes 24 and 26 refer). The Committee also noted the Local Joint Panel's deliberations on the new regulations relating to redundancy/pension augmentation (Minute 437 above refers).

The Committee had considered the recommendations concerning the revised policies and procedures earlier during the meeting (Minutes 438 and 439 above refer).

The Committee adopted the Panel's recommendation in relation to a timetable of revisions to the Human Resources Handbook.

RESOLVED – that the Minutes of the meeting of the Local Joint Panel held on 29 November 2006 be received and the recommendation detailed therein relating to the timetable of revisions to the Human Resources Handbook be adopted.

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442 DIRECTOR RECRUITMENT INTERVIEW PANEL – MINUTES: 14 NOVEMBER 2006

RESOLVED – that the Minutes of the meeting of the Director Recruitment Interview Panel held on 14 November 2006 be received.

ACTION443 DEPARTMENTAL REORGANISATION (2)

The Leader of the Council submitted a report reminding the Committee of the current process to reorganise the senior management structure of the Authority on the basis approved by Council meeting on 20 September 2006 (Minute 251(F) refers).

The Committee noted that appointments had been made to the posts of Director of Neighbourhood Services and Director of Customer and Community Services.

The post of Director of Internal Services had not been filled.

The Committee noted that the Director Recruitment Interview Panel had agreed that the post of Director of Internal Services should be advertised externally. This would not preclude an appointment from amongst existing employees.

The Committee noted the interim management arrangements put in place by the Chief Executive pending an appointment to the post of Director of Internal Services. Subsequent to an appointment, a report would be presented proposing permanent future arrangements for the Monitoring Officer and the Chief Financial Officer.

The Leader of the Council detailed a suggestion relating to the position of Chief Finance Officer in the event of the departure of the Director of Resources before permanent future arrangements were put in place (see Minute 435 above).

The Leader of the Council confirmed that the Director of Resources' post was not required within the new organisational structure and the Authority did not have any suitable alternative employment for the postholder. The Committee supported the suggestion that this post be deleted and the postholder be declared redundant.

ACTION

The Committee supported the Leader's further suggestion that the post of Director of Internal Services should be advertised and that the Chief Executive be authorised to take all action to implement the decisions now taken on this matter.

RESOLVED – that (A) the post of Director of Resources be deleted and the postholder be declared redundant; CE/IDOD

(B) the post of Director of Internal Services be advertised; and CE/IDOD

(C) the Chief Executive be authorised to take all action to implement the decisions detailed in (A) and (B) above. CE

444 DEPARTMENTAL REORGANISATION (3)

The Committee considered a report by the Leader of the Council, together with further information provided in a letter dated 8 December 2006 from the Interim Director of Organisational Development, concerning the position of postholder EHC09 – Director of Resources as a consequence of the decision to delete that post and to declare the postholder redundant.

The Interim Director of Organisational Development outlined the options available to the Authority in respect of a compensation package with reference to the Council policy in force at the date of the redundancy notice.

The Committee noted the options available.

The postholder submitted representations in respect of pension augmentation and also made a personal representation at the meeting.

The Committee noted the officers' recommendation on this matter and also the Director of Organisational Development's comments concerning potential implications

ACTION

arising from agreeing an alternative severance package.

The Committee supported the proposed terms of a redundancy package for postholder EHC09 in line with officers' recommendation.

RESOLVED – that the terms of a redundancy package for postholder EHC09 based on officers' recommendation as detailed in the report now submitted be approved.

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The meeting closed at 7.18 pm.

Chairman
Date