

**MINUTES OF THE MEETING OF THE PERSONNEL PANEL
HELD AT FOLLATON HOUSE, TOTNES ON WEDNESDAY, 28 MAY 2008**

MEMBERS

* Cllr M F Saltern - Chairman

* Cllr J A Westacott - Vice-Chairman

* Cllr R F Croad

* Cllr R J Tucker

ø Cllr T J Hewitt

* Denotes attendance

ø Denotes apology for absence

Officers in attendance:

Items 5, 6 and 8 (Minutes PP.3/08, PP.4/08 and PP.6/08 below refer): Deputy Monitoring Officer;

Items 5, 6 and 9 (Minutes PP.3/08, PP.4/08 and PP.7/08 below refer): Chief Executive;

Items 5 and 6 (Minutes PP.3/08 and PP.4/08 below refer): Risk and Health and Safety Advisor and Pay and Benefits Manager;

Item 5 (Minute PP.3/08 below refers): Community Safety and Emergency Planning Officer; and

Item 9 (Minute PP.7/08 below refers): Personnel Officer.

PP.1/08 MINUTES

The minutes of the meeting of the Panel held on 29 April 2008 were confirmed as a correct record and signed by the Chairman.

PP.2/08 DECLARATIONS OF INTEREST

Members were invited to declare any interests in the items of business to be considered during the course of the meeting but none were made.

PP.3/08 DOMESTIC VIOLENCE POLICY

Members considered a report which sought approval for a Domestic Violence Policy and Guidelines which aimed to improve the well-being of the people of the South Hams.

The report highlighted that as a statutory partner of the South Devon and Dartmoor Crime and Disorder Reduction Partnership, it was essential that the Council had a Domestic Violence Policy. The Policy would support those employees who were, or would be suffering domestic violence, by encouraging them to report this crime and seek help from supporting agencies in the area.

The Policy would also enable managers to either identify when domestic violence could be responsible for poor performance, sickness, poor time keeping etc, or respond to incidents when reported, thereby offering employees support which would benefit them and the Council.

In discussion, particular reference was made to:-

- (a) progress made in developing a policy at Teignbridge and West Devon Councils. Officers advised that the view had been taken that in the first instance, the policy be presented to the Panel for consideration. Once the views of the Panel had been gauged, it was intended that contact would be made with Teignbridge and West Devon Councils;
- (b) manager involvement in domestic violence matters. The Panel debated the appropriate level of managerial support at which domestic violence matters should be dealt with. When considering the potential training implications and confidentiality matters, a Member questioned whether the level of support should in fact be at Head of Service level. In response, other Members felt that line managers had greater daily contact with staff than Heads of Service and felt this tier was the appropriate level to provide support. In conclusion, the Panel felt that the level of managerial support should not be too prescriptive in the policy, as any suffering staff were likely to raise the matter with whoever they wished. Therefore, Members requested that the policy should throughout make reference to support from *relevant* managers;
- (c) domestic violence training. The need for a measured and pragmatic approach to training was highlighted, with all staff being aware that the Council took the matter seriously and that the available means of getting help and support was known. In order to raise awareness, domestic violence would be included in the staff induction training and on the intranet. Furthermore, team meetings and staff payslips were also highlighted as potential methods of improving awareness. In terms of Member training, it was agreed that the Vice-Chairman (who was also the Member Champion for the Vulnerable) would attend the half-day manager training event;
- (d) the lead officer. It was agreed that the Community Safety and Emergency Planning Officer would be the lead officer, taking overall responsibility, for domestic violence for the Council;
- (e) monitoring and reviewing. Members requested that update and monitoring reports on the Domestic Violence Policy be presented back to the Panel and the policy guidance be updated accordingly;

- (f) incidents of threatening behaviour relating to 16 and 17 year olds. In acknowledging that such behaviour towards 16 and 17 year olds was a child protection issue, which justified why the policy only referred to adults aged 18 or over, the Panel felt it would be helpful to clarify this point under a separate paragraph in the policy.

RESOLVED

That, subject to the incorporation of the comments as detailed above, the adoption of the Domestic Violence Policy be endorsed.

PP.4/08

DRAFT POLICIES FOR FLEXIBLE RETIREMENT AND THE COUNCIL'S DISCRETIONS REGARDING PENSION PAYMENTS

The Panel considered a report which informed it of certain changes in the Local Government Pension Scheme Regulations 2008, which required the Council to adopt policies for Flexible Retirement and associated Discretionary Powers.

Prior to any debate on this matter taking place, officers wished to clarify that Appendices B and C, as presented in the published agenda, were in the incorrect order and should be reversed.

In discussion, the following points were raised:-

- (a) The Panel wished for paragraph 5.6 of the draft Flexible Retirement Policy to be deleted. In line with the Age Retirement Policy, this deletion was sought due to there being no further right of appeal;
- (b) For clarity, Members requested that throughout the Flexible Retirement Policy, any reference to 'calendar days' should be amended to read 'working days'. Therefore, for example, 7 calendar days would equate to 5 working days;
- (c) For each of Regulations 72, 73, 74 and 76 of the Employer Discretions (pages 33 and 34 of the presented agenda refer), the Panel felt that delegated authority should be granted to the officers to assess the individual cases. Following this assessment, it was felt that any matters arising from such Regulations should then be presented to the Panel for ultimate determination and the Discretions should therefore be amended accordingly.

RESOLVED

That, subject to consultation with the unions and the incorporation of comments as detailed above, the:

- (a) Flexible Retirement Policy be approved; and
- (b) Discretionary Powers be adopted and incorporated into the Scheme of Delegation.

PP.5/08 **EXCLUSION OF PUBLIC AND PRESS**

RESOLVED

That in accordance with Section 100(A)(4) of the Local Government Act 1972, the public and press be excluded from the meeting during consideration of the following items of business as the likely disclosure of exempt information as defined in paragraphs 1 and 2 of Schedule 12A to the Act is involved.

PP.6/08 **SHARED POSTS: 2008 UPDATE**

Members considered an exempt report which informed and updated them about which posts on the Council's establishment were currently being shared, and upon what terms.

In discussion, reference was made to:-

- (a) additional posts which were not referred to as being currently shared. Members highlighted examples of posts which had been omitted from the list of shared posts in the presented report. It was agreed that the list would be revisited and amended accordingly, prior to it being published in the Members' Bulletin;
- (b) the combined population of the South Hams and West Devon areas. For clarity, it was noted that the combined population was in fact 135,000 (South Hams: 83,000 and West Devon: 52,000) and not 127,000 as highlighted in the presented report;
- (c) the salary arrangements for the Shared Chief Executive. In acknowledging the gesture and valuing those in question, the Panel considered it to be too complicated to implement the initiative as was suggested in Appendix B of the presented report. Therefore, the Panel voted for the removal of the last paragraph in Appendix B.

RESOLVED

1. That the salary arrangements for the Shared Chief Executive be approved; and
2. That the arrangements for sharing staff (as set out in the presented report and Appendix A) be noted.

PP.7/08 **HEAD OF SERVICE – STAFFING MATTER**

The Panel considered an exempt report which informed of a potential redundancy within the Legal service, which would be effective from 31 May 2008.

RESOLVED

1. That the redundancy (as outlined in the presented report) be agreed;
2. That the Strategic Director (Resources) be responsible for assisting the Legal service in their reorganisation to meet changing work requirements; and
3. That the Deputy Monitoring Officer becomes the Monitoring Officer, with effect from 1 June 2008.

(Meeting commenced at 2.30pm and concluded at 3.50pm).

Chairman