

**MINUTES OF THE MEETING OF THE PERSONNEL PANEL
HELD AT FOLLATON HOUSE, TOTNES ON 6 SEPTEMBER 2007**

MEMBERS

* Cllr M F Saltern - Chairman

∅ Cllr J A Westacott - Vice-Chairman

∅ Cllr R F Croad

* Cllr R J Tucker

* Cllr T J Hewitt

* Denotes attendance

∅ Denotes apology for absence

Also in attendance:

All Agenda Items: Chief Executive, Strategic Director (Resources), Head of Financial Services, Deputy Monitoring Officer, Acting Head of Personnel and Payroll and TGWU, Unison and GMB Union Representatives;
Item 5 (Minute No. PP.3/07 below refers): Strategic Director (Operations) and Tone Union Representative.

PP.1/07 **MINUTES**

The minutes of the meeting of the Panel held on 8 March 2007 were confirmed as a correct record and signed by the Chairman.

PP.2/07 **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 was made.

PP.3/07 **PROGRESS TOWARDS SINGLE STATUS**

Members considered a report that provided an update on the progress of Single Status negotiations to date and sought further approval regarding the process of job evaluation.

The report concluded that whilst the Council had obligations to move to single status as a good employer within the public sector, it also had responsibilities to modernise and improve access to services for its customers. In undertaking a thorough review, the Council would be better placed to deliver the Government's modernisation agenda and improve the flexibility of services for its users.

Whilst advising of their broad agreement to a number of items raised in the presented report, the Union representatives in attendance advised that they did have some issues with regard to the annual leave and travel allowance proposals.

At this point, the representatives requested that the exempt information (Appendix 5 of the presented report) be considered in public session. In response, the Panel advised that whilst it was happy to hear the views of the representatives prior to any discussion taking place, it was not willing to meet this request.

Representatives advised that the proposed changes to travel allowances were a cause of concern and would adversely affect the approximately 100 members of staff who received Essential car user lump sums. The view was expressed that this would not be welcomed, particularly when considering that the single status project was ongoing and the annual cost of living pay rise was still awaited. Furthermore, representatives stated their view that to offset such changes to travel allowances to aid the funding of single status was completely unacceptable.

In light of the single status proposals creating a number of positive benefits for employees, the Chairman questioned whether this issue should not be looked at in accordance with the overall project. In response, Union representatives accepted that there was a finite resource available but felt that the mileage rates would be reduced to below National Joint Council (NJC) guidelines. Reference was also made to the wear and tear on vehicles needing to be borne in mind and the escalating costs of vehicle insurance.

With regard to annual leave entitlement, Union representatives stated that their preferred option was a fourth option whereby workers were entitled to a basic 22 days leave (exclusive of statutory days), which would increase to 27 days after 5 years service.

On the matter of the flexi-time scheme, a Union representative from the Operations Team advised that staff within that service had very limited, if any at all, opportunity to utilise this scheme due to their working patterns.

In expressing his regret with regard to the delay on progress with single status, the Chairman emphasised the importance of exploring areas where doubt had arisen and the significance of getting the project right.

It was then:

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 item of business as the likely disclosure of exempt information as defined in paragraph 4 of Schedule 12A to the Act is involved.

The Panel proceeded to discuss the exempt appendix in detail and concluded that:

- the mileage rate paid be that of the Inland Revenue rate of 40p per mile and standardised for both Casual and Essential car users;
- an eligibility criterion of 1,500 business miles per annum be introduced before the Essential allowance applied;
- all eligible Essential users be paid a lump sum based on the middle band engine size.

With regard to annual leave entitlement, the Panel did not wish to make any decisions on this matter until the outcomes of the single status project were known.

Once all Members were satisfied that they had no further questions in relation to these issues, it was then:

RESOLVED

That the public and press be re-admitted

The Panel debated the content of the Job Evaluation Appeals Process (Appendix 4 of the presented report) and found it to be satisfactory, subject to some agreed minor textual amendments. Officers confirmed that in instances where there was a lack of manager support regarding the content of an appeal submission, it was agreed that both parties would submit their comments individually to an Appeals panel to avoid any confrontation.

RESOLVED

That the Panel:-

- (i) note the progress made by the Single Table to date,
- (ii) establish fresh Job Evaluation Panels and Monitors to progress and conclude job evaluation for South Hams, in line with the Greater London Job Evaluation Scheme, as set out in Appendix 3 of the presented report, and subject to trade union agreement,
- (iii) agree to the use of the revised Appeals Process as set out in Appendix 4 of the presented report, and subject to trade union agreement,

- (v) delegate to the Strategic Director (Operations) and the Head of Personnel, the making of arrangements for composition of the Panels, the issuing of guidance on procedural matters, and the use of Job Evaluation Panel's confirmed scores as the final score for adoption, subject to trade union agreement.
- (vi) provide further guidance on the detail which forms part of the negotiations, as contained within Appendix 5 of the presented report.

PP.4/07

COMPENSATORY BENEFITS PAYABLE ON REDUNDANCY & TERMINATION IN THE INTERESTS OF EFFICIENCY

Members considered a report that provided an update on the 2006 Regulations and the need to approve the method of calculating compensatory benefits payable on redundancy and termination of employment in the interests of efficiency.

The report concluded that the Council had a duty to act in accordance with employment legislation and good practice and to act with fairness, equity and transparency. This policy enabled the Council to comply with these principles.

During discussion, reference was made to:-

- (a) feedback received from unions. The Panel was informed that feedback had been received from Unison on the levels of discretionary payment to be made to employees who are made redundant or who leave the Council's employment on interest and efficiency grounds, in accordance with the Local Government Regulations. Unison had expressed its wish that the calculated multiplier, to be applied in calculating the discretionary payment in the event of redundancy, be set at the maximum permitted of 2.46 (to be applied to the statutory payment), but in any case no lower than 2.16.

In attempting to be fair to both the local authority and staff, the Panel felt that a multiplier of 2, which it was stressed was a discretionary amount in addition to the statutory element, was a reasonable compromise for all parties, and would also lead to a small financial saving to the Council;

- (b) the option to convert any compensatory element of pay into a period of membership of the Local Government Pension Scheme. Officers advised that should the Panel be minded to give employees the option to convert, there would be significant cost implications and an immediate strain on the pension fund. In response to a question, officers confirmed that a number of other authorities in Devon were not allowing this option to staff. In conclusion, Members were minded to not provide employees with the option to convert;
- (c) the draft Redundancy and Interests of Efficiency Policy. Whilst it was not compulsory to have such a policy, the Panel was minded to support its adoption. Union representatives requested that the policy be textually amended to make reference to more than one trade union and trade union officer;
- (d) calculating the statutory redundancy pay. The Panel believed that the pay used in calculating the statutory redundancy pay should continue to be the actual weeks pay, in accordance with other local authorities.

RESOLVED

That the Panel:-

- (i) agree to a multiplier of 2, as a mechanism and basis for calculating the amount of any discretionary payment to be made to employees who are made redundant or who leave the Council's employment on interest and efficiency grounds in accordance with The Local Government Regulations 2006;
- (ii) determine not to allow employees to convert any compensatory element of pay into a period of membership of the Local Government Pension Scheme;
- (iii) has considered the Draft Redundancy and Interests of Efficiency Policy (as presented at Appendix B of the agenda papers) and made comments as recorded in (c) above.

(Meeting commenced at 2.30 pm and concluded at 3.35 pm).

Chairman