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KIRKLEES COUNCIL
PERSONNEL COMMITTEE

Monday 23 June 2014

Present: Councillor Sheard (in the Chair)
Councillors Brice, Calvert, McBride, Pandor and N Turner

1 Membership of the Committee

Councillor Brice substituted for Councillor Light.

Apologies for absence were received from Councillors Bolt, D Hall and Light

2 Minutes

The Minutes of the meetings of Personnel Committee held on 4 February and 4 June 2014 were agreed as a correct record.

3 Interests

Councillor Calvert declared a disclosable pecuniary interest in Agenda item 7 – Local Government Pension Scheme 2014 and Policy Statement, due to her having deferred pension payments with West Yorkshire Scheme. Councillor Calvert left the meeting during consideration of this issue.

Councillor declared an 'other' interest in Agenda item 8 – Designation of Support to Staff at Golcar Junior, Infant and Nursery to transfer to 'The Aspire Co-operative Learning Trust', due to her having a grandchild attending the school.

Adrian Lythgo indicated that he was a Governor at Golcar Junior, Infant and Nursery School and therefore provided no advice during consideration of Agenda item 8.

4 Admission of the Public

It was agreed that Agenda items 11 and 12 – Recruitment of Director for Commissioning, Public Health and Adult Social Care and Update on Human Resources and Industrial Relations Issues be taken in private due to the items involving the disclosure of information.

5 Deputations/Petition

No deputations or petitions were received.

6 Public Question Time
No questions were asked at the meeting.

7 Local Government Pension Scheme 2014 and Policy Statement
Personnel Committee considered a report setting out proposals on how the Council will review its written policy statement in relation to the Local Government Pension Scheme Regulations, specifically on a number of discretionary powers that the Council held. Personnel Committee gave consideration to discretions relating to the shared cost of additional pension contributions, the awarding of additional pension, flexible retirement arrangements, waiving actuarial regulations and switching to the 85 year rule.

The considered report set out recommendations in relation to each of the above areas of the regulations and Personnel Committee were asked to consider their implementation in Kirklees.

RESOLVED

(1) That the principles and recommendations set out in the considered report in relation to each discretion under consideration be approved.

(2) That the power to use any of the discretions be delegated to the Director of Resources in consultation with the relevant Service Director.

(3) That it be noted that appeals against how any of the discretions have been exercised will be directed to the Pensions and Financial Services Officer and the West Yorkshire Pension Fund.

8 Designation of Support Staff at Golcar Junior, Infant and Nursery on transfer to the 'The Aspire Co-operative Learning Trust'
Personnel Committee considered a report seeking the designation of support staff at Golcar Junior, Infant and Nursery School, in order that they could continue in or join the Local Government Pension Scheme when they transferred to the employment of the Governing Body at the point they change category from Community School to Foundation School and become the 'The Aspire Co-operative Learning Trust'. It was noted that the change was anticipated to take place on or around 1 July 2014.

The considered report set out the background and regulations which govern the pension arrangements for staff in schools and recommended that the Committee approve that, if the change of category is implemented, then support staff would remain members of the Local Government Pension Scheme.

RESOLVED:-

(1) That the statutory proposal of the Governing Body of Golcar Junior, Infant and Nursery School to change category from Community School to Foundation School and acquires the Foundation - 'The Aspire Co-operative Learning Trust' be noted.

(2) That the role of the Council in the implementation of the proposal in enacting the transfer of the employment of staff from the Council to the Governing Body of the Trust school be noted.

(3) That the text of the legal agreement that is required to be signed by the Governing Body of Golcar Junior, Infant and Nursery School to the pension arrangements for non-teaching staff to remain as part of the Local Government Pension Scheme be noted.

(4) That subject to the signing of the legal agreement regarding the transferee employer entering into a legal agreement in the form set out at Appendix 1 to the report, it be agreed that under Regulation 3(1)(b) of the Local Government Pension Scheme Regulations 2013, the Kirklees Local Education Authority, having received consent by Golcar Junior, Infant and Nursery School, designates all existing non-teaching staff at Golcar Junior, Infant and Nursery School and future non-teaching staff of the school as being eligible for membership of the Local Government Pension.

9 Designation of support staff at Honley High School on transfer to 'The Honley Co-operative Learning Trust'

Personnel Committee considered a report seeking the designation of support staff at Honley High School, in order that they could continue in or join the Local Government Pension Scheme, when they transfer to the employment of the Governing Body at such times as the school changed category from Community School to Foundation School and acquires the Foundation – 'The Honley Co-operative Learning Trust'. The report indicated that it was anticipated the change in designation would take place on or around 1 September 2014.

The considered report set out the background and regulations which govern the pension arrangements for staff within schools and recommended that the Committee approved that, if the change of category is implemented, then support staff would remain members of the Local Government Pension Scheme.

RESOLVED:-

(1) That the statutory proposal of the Governing Body of Honley High School to change category from Community School to Foundation School and acquires the Foundation - 'The Honley Co-operative Learning Trust' be noted.

(2) That the role of the Council in the implementation of the proposal in enacting the transfer of the employment of staff from the Council to the Governing Body of the Trust school be noted.

(3) That the text of the legal agreement that is required to be signed by the Governing Body of Honley High School to the pension arrangements for non-teaching staff to remain as part of the Local Government Pension Scheme be noted.

(4) That subject to the signing of the legal agreement regarding the transferee employer entering into a legal agreement in the form set out at Appendix 1 to the report, approve be given to that under Regulation 3(1)(b) of the Local Government Pension Scheme Regulations 2013, Kirklees Local Education Authority, having received consent by Honley High School, designates all existing non-teaching staff at Honley High School and future non-teaching staff of the school as being eligible for membership of the Local Government Pension Scheme.

10 Exclusion of the Public

RESOLVED - That acting under Section 100(A)(4) of the Local Government Act, 1972, the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in Part 1 of Schedule 12A of the Act, as specifically stated in the under mentioned Minutes.

11 Recruitment of Director of Commissioning, Public Health and Adult Social Care

(Exempt information relating to particular employees. The public interest in maintaining the exemption, which would protect the rights of individuals under the Data Protection Act 1988, outweigh public interest in disclosing the information and providing greater openness in the Council's decision making)

Personnel Committee considered a further report updating on the process for the recruitment of a Director of Commissioning, Public Health and Adult Social Care, subsequent to the report the Personnel Committee at its meeting on 4 February 2014. The considered report set out proposed job description and person specification and provided information and recommendations for a recruitment process in relation to the post.

RESOLVED

(1) That the job descriptions and person specifications as set out in the considered report be approved.

(2) That the process and timescales for the recruitment exercise as outlined in the considered report be approved.

(3) That two members of the Cabinet be asked to sit on the Advisory Appointments Committee in line with the recruitment process outlined in the considered report.

(4) That approval be given to the establishment of the recruitment Panel on a ratio of 2:1:1, with 2 Members to be drawn from the Cabinet and 2 from opposition groups to undertake the recruitment to the post.

12 Update on Human Resources and Industrial Relations Issues

(Exempt information relating to any consultations and negotiations or contemplated consultations and negotiations in connection with labour

relations matter. The public interest in maintaining the exemptions is that disclosure of information could prejudice the outcome of consultations and negotiations with trade unions, which outweighs the public interest in disclosing the information.)

Personnel Committee received a presentation on ongoing consultation and negotiations with Trade Unions in relation to human resources issues. Specifically information was provided to Personnel Committee of the approach being taken to negotiations on terms and conditions and on principles that had been discussed with Trade Unions relating to the changes to terms and conditions of service.

RESOLVED

(1) That the agreed principles of the workforce as set out in the presentation received by Personnel Committee be approved.

(2) That officers be authorised to negotiate a set of policies and terms and conditions which meet these principles.