

STAFFING POLICY COMMITTEE

DRAFT MINUTES OF THE STAFFING POLICY COMMITTEE MEETING HELD ON 9 JULY 2014 AT KENNET ROOM - COUNTY HALL, TROWBRIDGE BA14 8JN.

Present:

Cllr Allison Bucknell (Chair), Cllr Peter Evans (Substitute), Cllr David Jenkins, Cllr Bob Jones MBE, Cllr Bill Moss (Substitute), Cllr David Pollitt, Cllr John Smale (Vice Chairman), Cllr Stuart Wheeler and Cllr Graham Wright

Also Present:

Cllr Gordon King and Cllr Jeff Osborn

33 Apologies for absence

Apologies for absence were received from Cllr Mike Hewitt who was substituted by Cllr Peter Evans and Cllr Jane Scott OBE who was substituted by Cllr Bill Moss.

34 Minutes of Previous Meeting

Resolved:

To confirm and sign as a correct record the minutes of the previous meeting held on 7 May 2014.

35 Declarations of Interest

There were no declarations of interest.

36 Chairman's Announcements

The Chairman made the following announcement:-

Industrial Action – Thursday 10 July 2014

Wiltshire Council is part of the national pay bargaining process in which the National Employers represent the views of councils across the UK.

The recognised unions (Unison, GMB and Unite) had notified the Council of the outcome of their recent national ballots regarding industrial action in relation to the 2014 pay offer for green book staff.

The pay offer made by the National Employers would increase all employees' pay by 1% while those on the lowest pay (up to spinal point 10, £14,013 per annum) would receive a larger increase of between 1.25% and 4.66%.

The National Employers had said this was a fair deal for employees given the limits of what could be afforded as well as being a fair deal for the taxpayers and residents who used and paid for the services local government provided.

The unions had rejected the pay offer and members voted nationally in favour of strike action. Only 5.7% of all council staff employed nationally voted in favour of strike action.

The Council had been notified that the strike action would take place on **Thursday 10 July 2014**. This would also coincide with a strike by teaching staff in the NUT and fire fighters and civil servants in dispute over pay and pensions. The Council's Staff Industrial Action Group would be monitoring the situation to ensure the delivery of services.

37 **Public Participation**

There were no members of the public present or councillors' questions.

38 **Discretions Policy for Wiltshire Council**

Consideration was given to a report by the Associate Director, People & Business which presented an updated Discretions Policy for Wiltshire Council, following changes to the Local Government Pension Scheme (LGPS) in April 2014.

It was noted that the introduction of new LGPS regulations effective from April 2014 required Wiltshire Council to review its existing pension discretions policy and to publish a new policy effective from April 2014.

The discretions policy stated how the Council would apply its discretionary powers in relation to specific provisions of the pension scheme.

The LGPS regulations provided a set of nine discretions for employers to review and agree. Seven of these discretions were the same as stated in Wiltshire Council's existing discretions policy but with the addition of two new discretions, as follows:-

- Discretion 2 – whether to make either a regular or lump sum additional pension contribution.

It was being recommended that this discretion be only exercised by this Committee in exceptional circumstances after considering the costs that would apply.

- Discretion 6 – to allow the rule of 85 for employees aged between 55 and 59.

It was being recommended that this discretion be only exercised by this Committee in exceptional circumstances after considering the costs that would apply.

After some discussion,

Resolved:

To approve the recommended changes to the Discretions Policy, which is attached as Appendix 1 to these minutes.

39 **Notice of Motion - Recognition of Trade Union Rights**

It was reported that at its Annual Meeting held on 13 May 2014, Council considered the following Notice of Motion received from Cllrs Jeff Osborn and Terry Chivers

“In the tendering of any future contracts for services provided by this Council, a clear condition should be made that the Council will only enter into a contract with organisations that make a clear and public commitment that they fully recognise trade union rights for their employees and that they will continue to do so”

Council referred the Motion to Staffing Policy Committee for consideration.

On considering the report prepared by the Associate Director, Law & Governance for the Annual Council meeting and on hearing the views of Cllr Jeff Osborn and Cllr Gordon King,

Resolved: To note that:

- 1. there were already statutory processes for considering union recognition during the TUPE process and with contracting parties.**
- 2. there was already statutory protection for employees’ freedom of association to join a union and for union representation for employees within certain employment processes.**
- 3. in terms of any future contracts it would not be possible within the current statutory framework to use as evaluation criteria a public**

commitment to recognise Trade Unions for collective bargaining purposes.

40 **Urgent Items**

There were no items of urgent business.

(Duration of meeting: 10.30 - 11.05 am)

The Officer who has produced these minutes is Roger Bishton, of Democratic Services, direct line 01225 713035, e-mail roger.bishton@wiltshire.gov.uk

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**LGPS EMPLOYER'S
DISCRETIONS POLICY FOR WILTSHIRE COUNCIL
LGPS 2014 Scheme**

WILTSHIRE PENSION FUND

DISCRETION & REGULATION	POLICY ON INDIVIDUAL DISCRETIONS
<p>1). Reg 31: Whether to grant additional pension to a member (up to £6500pa)</p>	<p>The council will only exercise this discretion in exceptional circumstances by Staffing Policy Committee after full consideration of the costs that would apply.</p>
<p>2). Reg 16(2)e & Reg 16(4)d: Whether to it make either a regular or lump sum Additional Pension Contribution (APC) to a member's account (part or whole funding this) [Note: this discretion only relates to cases when the member is working as normal rather than absent from work with permission but no pensionable pay – in the latter scenario, employers must fund it if necessary.]</p>	<p>The council will only exercise this discretion in exceptional circumstances by Staffing Policy Committee after full consideration of the costs that would apply.</p>
<p>3). Reg 30(6) Whether all or some pension benefits can be paid if an member aged 55 or over reduces their hours/grade and continues to work ("flexible retirement")</p>	<p>Requests will be considered by the associate director for people and business in conjunction with the appropriate associate director and assessed on their merits taking account such factors as costs and service delivery.</p>
<p>4). Reg 30(8) Waiving actuarial reduction on flexible retirement.</p>	<p>The council will not exercise this discretion</p>
<p>5). Reg 30(8) Waiving actuarial reduction on early retirement (age 55+) – for both active, deferred members & suspended tier 3 ill health pensions</p>	<p>Requests will be considered by the associate director for people and business in conjunction with the appropriate associate director and assessed on their merits taking account such factors as costs and service delivery.</p>
<p>6). TP Regs 1(1)(c) of Schedule 2: Whether to allow the rule of 85 to be "switched on" for members who would normally meet the rule but who will not if they draw the benefits age 55-59</p>	<p>The council will only exercise this discretion in exceptional circumstances by Staffing Policy Committee after full consideration of that costs that would apply.</p>

<p>7). Regs 22(8 & 9) Whether to extend 12-month period to separate previous LG service.</p>	<p>The council will not exercise this discretion</p>
<p>8). Reg 9(3) Determine rate of employees' contributions.</p>	<p>Wiltshire Council will re-assess all employee contribution bands on a monthly basis, taking account of changes as they occur during the year</p>
<p>9). Reg 100(6) Whether to extend 12-month period to allow a transfer-in of non-LG pension rights.</p>	<p>The council will not exercise this discretion</p>

Abbreviations

“Reg 16(2)e” means Regulation 16(2)e of the Local Government Pension Scheme Regulations 2013 [which apply from 1 April 2014]

“TP Regs” means LGPS (Transitional Provisions, Savings and Amendment) Regulations 2014].

Updated 14 March 2014