

AGENDA

Meeting: STAFFING POLICY COMMITTEE
Place: Committee Room III - County Hall, Trowbridge
Date: Wednesday 9 February 2011
Time: 10.30 am

Please direct any enquiries on this Agenda to Roger Bishton, of Democratic and Members' Services, County Hall, Bythesea Road, Trowbridge, direct line 01225 713035 or email roger.bishton@wiltshire.gov.uk

Press enquiries to Communications on direct lines (01225) 713114/713115.

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Membership:

Cllr Allison Bucknell
Cllr Rod Eaton
Cllr Mike Hewitt
Cllr David Jenkins
Cllr Francis Morland

Cllr John Noeken
Cllr Mark Packard
Cllr Jane Scott OBE
Cllr John Smale

Substitutes:

Cllr Ernie Clark
Cllr Peter Colmer
Cllr Mary Douglas
Cllr George Jeans

Cllr Howard Marshall
Cllr Bill Moss
Cllr Christopher Newbury
Cllr Jonathon Seed

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PART I

Items to be considered while the meeting is open to the public

1. **Apologies for absence**

2. **Minutes of Previous Meeting** *(Pages 1 - 4)*

To confirm the minutes of the meeting held on 16 December 2010. (Copy attached)

3. **Declarations of Interest**

To receive any declarations of personal or prejudicial interests or dispensations granted by the Standards Committee.

4. **Chairman's Announcements**

5. **Public Participation**

The Council welcomes contributions from members of the public.

If you would like to make a statement at this meeting on any item on this agenda, please register to do so at least 10 minutes prior to the meeting. Up to 3 speakers are permitted to speak for up to 3 minutes each on any agenda item. Please contact the officer named above for any further clarification.

Members of the public wishing to ask a question should give written notice (including details of any question) to the officer named above by **12.00noon on Monday 7 February 2011**.

6. **Local Government Pension Scheme (LGPS) Employer Discretions Policy Revision** *(Pages 5 - 12)*

A report by the Service Director HR & OD is attached.

7. **Wiltshire Pension Fund Admission for Clerks to Governors to be Eligible to join the Local Government Pension Scheme** *(Pages 13 - 16)*

A report by the Service Director HR & OD is attached.

8. **Redundancy Policy & Procedure for Chief Officers**

A report by the Service Director HR & OD will be circulated.

Following the updates to the redundancy policy and procedure in October 2010, HR have now, in consultation with the legal team, produced a procedure to follow when carrying out a redundancy involving chief officers.

This is largely the same as the redundancy policy and procedure agreed for other staff but the procedure includes the requirement to involve member committees in line with the constitution - namely:

- The Senior Officers Employment Sub-committee will be make the final decision in any voluntary and compulsory redundancy decisions, followed by ratification by Cabinet.
- Any appeal against the decision not to allow voluntary redundancy, or against the decision to terminate employment on grounds of compulsory redundancy, will be heard by the Staffing Appeals Sub-committee.
- The Officers Employment Sub-committee will conduct selection interviews as part of the ringfencing ownership process.
- The Appeals Committee will hear any appeals relating to the ownership/ringfencing process.

9. **Appointments Policy & Procedure for Chief Officers**

A report by the Service Director HR & OD will be circulated.

Following the updates to the appointments policy and procedure in October 2010, HR have now, in consultation with the legal team, produced a procedure to follow when appointing to chief and senior officer posts.

This is largely the same as the appointments policy and procedure agreed for other staff but the procedure includes the requirement to involve member committees in line with the constitution. These requirements include:

- The Officer Appointments Committee will be make the appointment decision (including the ownership and ring-fencing process) followed by ratification by Cabinet (and full Council for the post of chief executive).
- Any appeal against the appointment decision will be heard by the Appeals Committee.
- Any redundancy situation that occurs as a result of the ownership/ringfence/redeployment process will follow the redundancy policy and procedure where the final decision will be made by the Senior Officers Employment Sub-committee followed by ratification by Cabinet.

10. **Improving Work Performance Policy**

A report by the Service Director HR & OD will be circulated.

This is a re-write of an existing policy. This policy has been put into the new standard HR policy format. It has also been updated following consultation within HR and with the Legal Department. The main changes are:

- A change in the policy name from the Capability Policy to the Improving Work Performance Policy. It is felt that the name needed modernising and that it should have a greater emphasis on the focus being making relevant changes in the employee's performance to bring this up to an acceptable level.
- Roles and responsibilities within the policy have been made clearer.
- The timescales for achieving an acceptable performance have been identified.
- There is a greater emphasis on the manager's role in setting clear and achievable objectives with employees.
- It is now clearer that the policy should only be implemented when the normal processes of 1-1 meetings with the employee have failed. This procedure should not be a complete surprise to the employee.

11. **Recovery of Overpayments Policy**

A report by the Service Director HR & OD will be circulated.

This is a re-write of an existing policy. This policy has been put into the new standard HR policy format. It has also been updated following consultation with HR, Michael Hudson (Finance Director / Section 151 officer) and the legal department and the main changes are:

- The policy states more clearly the intention of the Council to recover any overpayments made.
- There is more emphasis on the employee's manager taking responsibility for letting them know that an overpayment has occurred and to expect a letter.
- The appeal process has been simplified so rather than be heard by the Corporate Director who then had to seek approval from the Chief Finance officer/section 151 officer it just goes straight to the section 151 officer who makes the decision. There is also an overpayment dispute

form for the employee to complete rather than having to write a letter.

- It is more clearly explained what would constitute an "exceptional" circumstance which might lead to a decision not to recover the overpayment.

12. **Date of Next Meeting**

To note that the next meeting is due to be held on Wednesday 9 March 2011.

13. **Urgent Items**

Any other items of business which, in the opinion of the Chairman, should be considered as a matter of urgency. Urgent items of a confidential nature may be considered under Part II of this agenda.

14. **Exclusion of the Public**

To agree that in accordance with Section 100A(4) of the Local Government Act 1972 to exclude the public from the meeting for the business specified in Item Number 15 because it is likely that if members of the public were present there would be disclosure to them of exempt information as defined in paragraph 1 of Part I of Schedule 12A to the Act and the public interest in withholding the information outweighs the public interest in disclosing the information to the public.

PART II

Items during whose consideration it is recommended that the public should be excluded because of the likelihood that exempt information would be disclosed

Members are reminded that Part II reports contain confidential information and should be treated accordingly. They should not be disclosed or passed to any other person(s). Members are also reminded of the need to dispose of such reports carefully and are urged to return them to the committee secretary at the end of the meeting for disposal.

15. **Local Government Pension Scheme (LGPS) - Employer Discretions - Payment of Deferred Benefits** (Pages 17 - 30)

A confidential report by the Service Director HR & OD is attached.