

APPOINTMENTS COMMITTEE

MINUTES of a meeting of the Appointments Committee held on Friday 5 March 2021 virtually.

PRESENT:

Cllr Richard Boyles
Cllr Tim Harman
Cllr Paul Hodgkinson

Cllr Patrick Molyneux
Cllr Kathy Williams
Cllr Lesley Williams MBE

Officers in attendance: Nick Lerry, Mandy Quayle and Suzanne Salter.

1. APPOINTMENT OF CHAIR

Cllr Richard Boyles was appointed as Chair for the remainder of the Council term.

2. APOLOGIES FOR ABSENCE

Apologies were received from Cllrs Mark Hawthorne and Nigel Moor.

Cllrs Tim Harman and Patrick Molyneux were present as substitutes.

3. MINUTES

The minutes of the previous meeting held on 14 September 2020 were approved as a correct record.

4. PUBLIC QUESTIONS

No public questions were received.

5. MEMBERS' QUESTIONS

No members questions were received.

6. PAY POLICY STATEMENT 2020/21

6.1 Nick Lerry, Employer Relations Manager, gave a brief overview of the Pay Policy Statement annual review, the Committee noted the following changes:

- An updated list of posts in which the post-holder earns £100k or more (FTE).
- Expanded definition of 'Market Rate Supplement' to include a response to recruitment difficulties that arise from the 'scarcity' of suitable candidates in the labour market (e.g. the recent recruitment to the Head of Pension Fund), as well as to those posts for which, while there may not be a labour market supply shortage, recruitment difficulties nonetheless arise because the Council pay below the 'going rate' in the market.

Minutes subject to their acceptance as a correct record at the next meeting

- Inclusion of a new section on Travel and Vehicle Provision, which covered the recently introduced car leasing scheme (for low-emission vehicles), the provision of a suitable emergency-response vehicle for GFRS officers at Station Manager Grade and above, and reference to the provision of fuel for GFRS Principal Officers (CFO, DCFO and ACFO) in connection with their 'continuous standby duty' commitment.
- Reference to the introduction and subsequent withdrawal of legislation restricting public sector exit payments, and the Government's renewed statement of intent to 'work at pace' to introduce alternative measures to restrict excessive severance payments to public sector employees.
- Some incidental (non-substantive) changes to wording and format to improve clarity.

6.2 Members questioned whether the inclusion of a provision covering GFRS fuel claims would offer greater protection to the Council from fraudulent claims. It was advised that this provision had been consulted on with professionals in this field, was fully compliant with the very specific HMRC guidance around the use of emergency response vehicles, and required the recording of all mileage and sign off by a manager. The Committee were assured that, in addition to other improvements in policy, this provision would help to minimise the risk of fraud.

RESOLVED TO RECOMMEND TO THE COUNCIL that the revised Pay Policy Statement 2021-22 be adopted.

7. LOCAL GOVERNMENT PENSION SCHEME - DISCRETIONS POLICY

- 7.1 Nick Lerry, Employee Relations Manager, presented this item and members noted the following points.
- 7.2 Regulation 60 of the LGPS Regulations 2013 and paragraph 2(2) of the LGPS (Transitional Provisions, Savings and Amendment) Regulations 2014 say that a Scheme employer must prepare and publish a written statement of its policy in relation to the exercise of its functions under these regulations. There are similar requirements in respect of the LGPS 2008 and 1997 regulations regarding benefits accrued under the legacy 'final salary' schemes.
- 7.3 The Committee approved the Council's Discretions Policy Statement at its meeting in July 2014, since then, however, there had been various decisions from the Pensions Ombudsman and courts relating to the exercise by employers of discretions available to them under the various public sector schemes.
- 7.4 These decisions and challenges had now led to the LGA advising local authority employers to review their Policy and make appropriate amendments if they considered it could be vulnerable to similar challenge.

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- 7.5 On reviewing its Statement, the Council noted some potential vulnerability and the attached report therefore outlined proposed amendments for the Committee to consider.
- 7.6 An example was given of a potential challenge being if the Council had made a mistake, which resulted in a negative impact on an employee, and the current restrictive wording of the Policy preventing GCC from rectifying that impact.
- 7.7 It was confirmed, following a question, that there had been no examples of challenge happening in Gloucestershire, the amendments were simply responding to other examples nationally.

CHAIR

Meeting concluded at 10:35.