

COMMISSION FOR LOCAL ADMINISTRATION IN ENGLAND

**Minutes of the special meeting of the Commission held at Millbank Tower,
Millbank, London SW1P 4QP in Room 1 20th floor on
Thursday 13 November 2008 at 11.40am**

Present: Mr T Redmond (Chairman)
Mr J R White (Vice Chairman)
Ms A Seex

In attendance: Mr N H Jones
Mr N J Karney
Mr M King
Mr P MacMahon
Mr C Bottomley
Mr A L Creech (items 1 – 4)

1. Apologies

Apologies for absence were received from Ann Abraham.

2. Matters arising from the minutes of 16 October Commission meeting

The minutes of the 16 October meeting were confirmed as an accurate record, and signed by Tony Redmond.

There were no matters arising from the minutes.

3. Redundancy and early retirement selection criteria

CLA 1677 had been circulated.

Nigel Karney explained that the comments received from the Staff side (who had also had input into an earlier version of the criteria) and from AOs had been very helpful, and that the draft criteria incorporated amendments made by the Deputies in the light of these comments. Nigel Karney pointed out that the Deputies planned to make one further change in response to the Staff side's later comment that there should be an extension of the time limit for members of staff to make written representations about their assessment; the Deputies proposed to increase this from three working days to five calendar days.

Nigel Karney then drew the Commission's attention to concerns expressed about the use of periods of sickness absence as a selection criterion, particularly given concerns about the reliability of the sickness absence records held by HR.

In the discussion, the Commission noted that:

- Sickness absence was one of the criteria set out in the Commission's Redundancy Policy. It also featured in ACAS guidance.

- It was apparent that there had been under-recording of sickness absence and it would not be possible to reliably recreate the record for all staff from other sources.

The Commission **AGREED** that:

- i. For the purposes of the current redundancy/early retirement selection exercise, the sickness absence criterion should be omitted.
- ii. The principle of using sickness records as a criterion should be reconsidered before another exercise is run.
- iii. The Deputies should take early action to address the under-recording of sickness absence.
- iv. To approve the draft selection criteria, subject to the extension of the time limit for written representations to five calendar days, and the omission of the sickness criteria.

NJK

4. Policy on retirement – discretionary matters

CLA 1678 had been circulated.

Nigel Karney reported that no comments had been received from the staff side on the consultation draft. One comment had been received by him from an individual member of staff, who had suggested that the Commission might reserve a discretion to increase total membership or to award additional pension in cases of flexible retirement as well as 'voluntary termination in circumstances other than redundancy'. Nigel Karney stated that he had considered it appropriate to incorporate this suggestion into the draft policy, since this would only be exercised where this was judged by the Commission to be in the best interests of the organisation and the delivery of its services. This was noted/endorsed by the Commission.

The Commission **AGREED** to adopt the paragraphs shown in italics in the appendix as its policy in relation to the following discretionary retirement matters:

- Agreement to early payment of pension.
- Power to increase total membership or to award an additional pension.
- Power to permit Flexible Retirement.

NJK

5. Date of next scheduled meeting

Tuesday 2 December, 11.15 am in MBT.

Confidential business

6. Redundancy and early retirement volunteers (exempt from FOIA under S40)

The Commissioners and Deputies received a schedule (CLA 1679) setting out the names of those staff who had responded to the invitation to make an application for redundancy and/or early retirement, or reduced hours.

The Commission **AGREED** that given the number of applications for voluntary redundancy and early retirement and based on the previously notified grant figure for 2009 / 2010 of £12.3m (on which Budget A is based) it will not need to implement any compulsory redundancies for the year 2009 / 2010. This situation might change but only if the grant figure falls below £12.3m or the number of volunteers reduces.

The Commission discussed whether the process of scoring of 'at risk' staff should now proceed. They concluded that this should be postponed until the grant for 2009/10 was notified.

7. Head of Policy and Research/resourcing current and future developments (exempt from FOIA under S43)

CLA 1680 had been circulated confidentially to Commissioners and Deputies. This item was subsequently made available as a non-confidential document.

The following points came up in discussion:

- Whilst supporting the Deputies' proposal to move to a programme management approach, the Commission considered that the programme should encompass just the new areas of work (self-funders, internal management of schools, making experiences count and, possibly, community environment).
- The LGOAT Programme Board meeting on 2 December had been cancelled; the Deputies can organise a programme board meeting as soon as they are ready with material to present on these matters.
- Concerning the HoPR, the Commission is mindful of the wide scope of the post and that it is important that there is close liaison with the Commission and the Deputies over priority and focus at a time of considerable challenge. Also that whilst this post will make a major contribution, resources will also need to be drawn from elsewhere in the organisation to support the workstreams.

The Commission **AGREED**:

- i. To approve the recruitment to the HoPR vacancy.
- ii. To adopt a programme management approach to the new areas of work workstreams.