

EMPLOYMENT ISSUES PANEL

Wednesday,
4 February 2009
10.00 a.m.

Conference Room 1,
Council Offices,
Spennymoor

AGENDA and REPORTS



This document is also available in other languages, large print and audio format upon request

العربية (Arabic)

إذا أردت المعلومات بلغة أخرى أو بطريقة أخرى، نرجو أن تطلب ذلك منا.

বাংলা (Bengali)

যদি আপনি এই ডকুমেন্ট অন্য ভাষায় বা ফরমেটে চান, তাহলে দয়া করে আমাদেরকে বলুন।

(中文 (繁體字)) (Cantonese)

如欲索取以另一語文印製或另一格式製作的資料，請與我們聯絡。

हिन्दी (Hindi)

यदि आपको सूचना किसी अन्य भाषा या अन्य रूप में चाहिये तो कृपया हमसे कहे

polski (Polish)

Jeżeli chcieliby Państwo uzyskać informacje w innym języku lub w innym formacie, prosimy dać nam znać.

ਪੰਜਾਬੀ (Punjabi)

ਜੇ ਇਹ ਜਾਣਕਾਰੀ ਤੁਹਾਨੂੰ ਕਿਸੇ ਹੋਰ ਭਾਸ਼ਾ ਵਿਚ ਜਾਂ ਕਿਸੇ ਹੋਰ ਰੂਪ ਵਿਚ ਚਾਹੀਦੀ, ਤਾਂ ਇਹ ਸਾਥੋਂ ਮੰਗ ਲਓ।

Español (Spanish)

Póngase en contacto con nosotros si desea recibir información en otro idioma o formato.

اردو (Urdu)

اگر آپ کو معلومات کسی دیگر زبان یا دیگر شکل میں درکار ہوں تو برائے مہربانی ہم سے پوچھیے۔

AGENDA

1. APOLOGIES

2. DECLARATIONS OF INTERESTS

To notify the Chairman if you have an interest in the following items

3. MINUTES

To confirm as a correct record the Minutes of the meeting held on 23rd October 2008. (Pages 1 - 4)

EXEMPT INFORMATION

The following items are not for publication by virtue of Paragraph 1 of Part 1 of Schedule 12 A of the Local Government Act 1972. As such it is envisaged that an appropriate resolution will be passed at the meeting to exclude the press and public.

4. APPLICATION TO RETIRE UNDER REGULATION 30 OF THE LOCAL GOVERNMENT PENSION SCHEME (LGPS)

Report of Director of Leisure Services. (Pages 5 - 10)

5. APPLICATION FOR FLEXIBLE RETIREMENT

Report of Director of Neighbourhood Services. (Pages 11 - 18)

B. Allen
Chief Executive

Council Offices
SPENNYMOOR
27th January 2009

Councillor A. Hodgson (Chairman)

Councillors A. Gray, G.C. Gray, B. Haigh, D.M. Hancock, Mrs. E. Maddison and A. Smith

ACCESS TO INFORMATION

Any person wishing to exercise the right of inspection in relation to this Agenda and associated papers should contact Mrs. Gillian Garrigan, Spennymoor 816166 Ext 4240

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Item 3

SEDGEFIELD BOROUGH COUNCIL EMPLOYMENT ISSUES PANEL

Conference Room 1,
Council Offices,
Spennymoor

Thursday,
23 October 2008

Time: 10.30 a.m.

Present: Councillor A. Hodgson (Chairman) and
Councillors A. Gray, G.C. Gray, B. Haigh, D.M. Hancock and A. Smith

Apologies: Councillors Mrs. E. Maddison

EIP.8/08 DECLARATIONS OF INTEREST
Members had no interests to declare.

EIP.9/08 MINUTES
The Minutes of the meeting held 11th September 2008 were confirmed as a correct record and signed by the Chairman.

EXCLUSION OF PRESS AND PUBLIC

RESOLVED: That in accordance with Section 100(a)(4) of the Local Government Act 1972 the press and public be excluded from the meeting for the following items of business on the grounds that they may involve the likely disclosure of exempt information as defined in Paragraph 1 of Schedule 12a of the Act.

EIP.10/08 APPLICATION TO RETIRE UNDER REGULATION 30 OF THE LOCAL GOVERNMENT PENSIONS SCHEME (LGPS)
The Panel considered a report of the Director of Resources regarding an application to retire under Regulation 30 (Employee Initiated Retirement) of the Local Government Pension Scheme (LGPS). (For copy see file of Minutes).

Members' attention was drawn to Section 3 of the report which provided guidance on the financial impact of Regulation 30.

It was noted that the applicant's combined age and service did not meet the Rule of 85 and therefore the following additional criteria needed to be satisfied:

- The reasons why the employee wanted to retire were considered to be valid and significant.
- The operational requirements of the employing department would not be diminished should the application be approved.

Specific reference was made to the table on Appendix 1 attached to the report which assessed the application against the policy criteria.

RESOLVED : That the application to retire early under Regulation 30 of the LGPS on a reduced benefits basis be approved.

EIP.11/08

APPLICATION FOR FLEXIBLE RETIREMENT

The Panel considered a report of the Director of Leisure Services regarding an application for flexible retirement. (For copy see of Minutes).

Members were reminded that in accordance with the Council's adopted Flexible Retirement Policy all applications for flexible retirement must be considered on an individual basis and decisions made on the merits of each case. Requested reductions in hours and/or grade must be compatible with the business requirements of the Council and should only be allowed in circumstances where the request did not adversely affected Council services.

The Panel considered the application taking account of the evaluation criteria set out in paragraph 3.3 of the report.

RESOLVED : That the application for flexible retirement be approved.

EIP.12/08

TRANSFER OF TRAINING AND EMPLOYMENT SERVICES TO BISHOP AUCKLAND COLLEGE EARLY RETIREMENT/VOLUNTARY REDUNDANCY

Consideration was given to a report regarding the transfer of staff from the Council Training and Employment Services to Bishop Auckland College and the requests received for early retirement/voluntary redundancy from employees whose current posts were not included within the structure of the merged training organisation. (For copy see file of Minutes).

It was explained that the Council's Training and Employment Services was financially independent of the Council, offsetting its costs with income generated through contracts won from external funding bodies such as the Learning Skills Council and Jobcentre plus. It had therefore been agreed with the College that as part of the merger process, early retirement costs would be paid out of the balances accrued over the lifetime of the Service and any residual amount would transfer to the College to cover further costs associated with service transformation post transfer.

The Panel's attention was drawn to the legal and constitution implications of the report and the requirement for both applicants to sign a compromise agreement waiving their rights to TUPE and twelve weeks' statutory notice.

Specific reference was also made to Appendix 1 of the report which set out the costs of allowing the requests for early retirement/voluntary redundancy.

RESOLVED : That the early retirement and voluntary redundancy applications of those employees listed on the schedule at Appendix 1 be approved.

ACCESS TO INFORMATION

Any person wishing to exercise the right of inspection, etc., in relation to these Minutes and associated papers should contact Mrs. Gillian Garrigan, Spennymoor 816166 Ext 4240

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By virtue of paragraph(s) 1 of Part 1 of Schedule 12A of the Local Government Act 1972.

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