

## **DURHAM COUNTY COUNCIL**

At a Meeting of **Human Resources Committee** held in Committee Room 2, County Hall, Durham on **Thursday 15 September 2016 at 10.00 am**

### **Present:**

**Councillor J Hillary (Chairman)**

### **Members of the Committee:**

Councillors J Armstrong, J Blakey, J Brown, T Henderson, B Moir, J Robinson and A Surtees

### **Also Present:**

J Kemp – Human Resources Advice and Support Manager

N Orton – Pensions Manager

S Weston – HR Business Lead, ACE/RED/Resources

L Mason – HR Business Lead, Neighbourhoods

### **1 Apologies for Absence**

Apologies for absence were received from Councillors J Clark, D Hicks, S Iveson and R Ormerod.

### **2 Substitute Members**

There were no substitute Members.

### **3 Declarations of Interest**

There were no declarations of interest.

### **4 Minutes**

The Minutes of the meeting held on 21 July 2016 were agreed as a correct record and were signed by the Chairman.

### **5 Exclusion of the Public**

#### **Resolved:**

That under Section 100(A)(4) of the Local Government Act 1972, the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in paragraph 1 of Part 1 of Schedule 12A of the Act.

## **6 Applications for Early Retirement and/or Voluntary Redundancy for Council Employees**

Consideration was given to the joint report of the Corporate Directors Adult and Health Services, Children and Young People's Services, Resources, Regeneration and Economic Development Services, Neighbourhood Services and the Human Resources Advice and Support Manager (for copy see file of Minutes).

Councillor Robinson referred to the applications at paragraphs 18-21 in the report and sought an assurance that there would be no adverse impact on service delivery and the ongoing strategic work of the sections. The HR Business Lead informed Members that a thorough review of the roles had been carried out and the proposed restructure would increase efficiency and create joined up working.

In response to a concern expressed by Councillor Moir regarding the applicant at paragraphs 25-27 in the report, the Member was informed that the employee had been included in an over-subscribed ring-fence and had renewed an earlier expression of interest in ERVR, however had chosen not to withdraw from the interview process.

Councillor Moir referred to the small lump sum for early access to pension in respect of the applicant at paragraphs 11–13 in the report and was informed by the Pensions Manager that this was due to the age of the employee who at 60 benefitted from protection under the 'Rule of 85'.

### **Resolved:**

That

- a) the cases of Early Retirement and Voluntary Redundancy be noted and agreed with effect from the dates specified in the report;
- b) the cases of Compulsory Redundancy and Early Retirement be noted from the dates specified in the report.

## **7 Application for Flexible Retirement from an Employee of Neighbourhood Services**

Consideration was given to the joint report of the Interim Corporate Director Neighbourhood Services and the Human Resources Advice and Support Manager (for copy see file of Minutes).

In discussing the request for flexible retirement Members considered the employee's circumstances and felt that the application should be granted on compassionate grounds without reductions. The Committee noted that the permanent salary saving would contribute towards MTFP savings.

**Resolved:**

That the application for flexible retirement be granted without reductions (option 10(c)) in the report.

**8 Application for Early Release of Pension Benefits on Compassionate Grounds from a former Employee of Neighbourhood Services**

Consideration was given to the joint report of the Interim Corporate Director Neighbourhood Services and the Human Resources Advice and Support Manager (for copy see file of Minutes).

This application for the early release of pension benefits had been deferred from the meeting held on 21 July 2016 to obtain further financial information from the applicant.

Members considered the circumstances of the applicant and considered that the application should be approved on compassionate grounds but in view of the cost to the Council the early release of pension benefits should be granted with reductions.

**Resolved:**

That the application for the early release of pension benefits be granted on compassionate grounds with reductions (option 6(c) in the report).

**9 Any Other Business**

**Additional Financial Information – Applications for the Early Release of Pension Benefits**

The Human Resources Advice and Support Manager advised that at previous meetings of the Committee Members had asked for additional financial information to be included in reports for applications for the early release of pension benefits on compassionate grounds, in order to assist the Committee in making decisions. Members were informed that advice had been sought from the Legal Section who had advised that this would require a change to the criteria agreed in 2009 and consent from the individual to divulge their financial information to the Committee. Currently decisions were made based on the cost to the Council whilst taking into account the hardship of the individual and the legal advice was for this not to change to ensure uniformity of decision-making, and to prevent the creation of a subjective element to the criteria.

Having heard the legal advice Members were of the view that the additional financial information would assist Members in their determination of the circumstances of the individual in line with the existing criteria which they did not believe would need to change. It was suggested that the Legal Officer be invited to the next meeting to discuss the matter further.

**Resolved:**

That the information given be noted and the Legal Officer be invited to the next meeting of the Committee.