

**ADMINISTRATION COMMITTEE**

**5<sup>th</sup> March 2008 at 6.00 p.m.**

**PRESENT:** Councillor Stewart (Chair); Councillors Ashraf, Chapman, R. Davies, Pedersen, Simmons and Singh.

**10 MINUTES (REF: 2.1)**

With reference to Minute 5, resolution (ii) the Head of Human Resources advised the Committee that discussions with the Trades Unions were ongoing in relation to their objections to the section on TUPE within the Organisational change policy. It was planned to report back to the Committee in April 2008.

**Resolved:** (i) That the Minutes of the meetings of the Committee held on 14<sup>th</sup> January 2008 be taken as read, approved as a correct record and signed by the Chair.

(ii) That it be noted that the Head of Human Resources would report back to the April meeting of the Committee on the outcome of discussions with the Trades Unions in relation to their objections to the section on TUPE within the Organisational change policy.

**11 URGENT ITEM – NEW POST IN THE BUILDING SCHOOLS FOR THE FUTURE TEAM (REF: 6.1)**

The Committee received a report from the Building Schools for the Future (BSF) Project Director on behalf of the Chief Executive, which sought approval to the creation of a new post of Project Manager within the BSF project delivery team, to deliver the new swimming pool.

As the development of the swimming pool had been identified as a priority for the Council and the next meeting of this Committee was not until the middle of April 2008, the matter had been submitted for approval as a matter of urgency so that recruitment to the post could proceed without delay.

The BSF Project Director advised that whilst there was no direct link between this activity and the work of the BSF team, the BSF project team was now established with expertise in taking project work forward and the Chief Executive as project sponsor had asked that the project be managed by that team.

The Committee was advised that it was intended to engage stakeholders by establishing a project governance structure, which would also include cross

party political representation. The final composition of the group was still to be agreed.

A Member commented that she was very pleased to see the post coming forward for approval as the desire for a swimming pool was shared by the wider Council and she asked for cross party support to the proposal.

A Member asked what the cost of the post would be and the BSF Project Director advised that if approved, the post would be evaluated immediately. It was expected to be graded at around M6 which would be consistent with other Project Manager posts.

A Member asked how long the post would be established for and long the project would take to be delivered. The BSF Project Director advised that the post would be in place until the swimming pool project was delivered, it would take approximately 2.5 years to commercial close, followed by the build period. Afterwards, there were several other projects which the postholder could be effectively utilised for.

A Member asked if the post would be permanent and this was confirmed. BSF funding was already in place. He asked on what basis 2.5 years was identified as an appropriate timeframe to secure funding for a swimming pool, and at what point the effectiveness of the post would be assessed. He made the point that he would not wish to see an expensive post created, which would then be absorbed into the Council's establishment, without the project for which the post had been created having been delivered and no checks in place to ensure that it did so.

The BSF Project Director advised that the first task of the postholder would be to identify the cost of the project, both capital spend and operational spend and to seek out the funds to deliver that project (bearing in mind the capital provision was unlikely to be sufficient). A detailed work plan would be put in place with milestones set as the success criteria and the post would be reviewed after 12 months. The 2.5 year timescale for a swimming pool was an approximation at this stage, but all the milestones within the BSF project plan had been achieved to date; he was confident therefore that effective project management would be successful in delivering funding for a swimming pool within the timeframe identified.

**Resolved:** That the inclusion of the new post of Project Manager (Swimming Pool) within the establishment for the Children & Learning Department, be approved.

**(Note: The above item was considered by the Committee in pursuance of Sections 100B(4) and 100E(1) of the Local Government Act 1972, the Chair having**

**considered that the item should be dealt with as a matter of urgency in order to enable the proposal to be progressed without delay)**

**12 REFERENCE FROM CHILDREN'S SERVICES JOINT NEGOTIATION & CONSULTATIVE COMMITTEE (CSJNCC) – EMPLOYMENT PROCEDURES FOR CENTRALLY EMPLOYED TEACHERS (REF: 7.1)**

The Committee received the recommendations of the CSJNCC held on 6<sup>th</sup> February 2008, which sought adoption of revised Disciplinary, Grievance, Sickness and Capability Procedures for centrally employed teachers.

The revisions proposed aimed to ensure equality for all employees other than those managed by schools within the remit of the governing body.

**Resolved:** That the revised Disciplinary, Grievance, Sickness and Capability Procedures for centrally employed teachers, as set out at Appendix A to the report (Ref: 7.1), be approved.

**13 ALCOHOL, DRUGS AND SOLVENT USE POLICY (REF: 8)**

The Head of Human Resources sought the Committee's approval to the implementation of a revised Alcohol, Drug and Solvent use policy as set out at Appendix A to his report.

A Member asked why the policy did not include smoking and was advised that this was covered by other legislation.

A Member asked what the significant changes were between the old and new policies.

The Head of Human Resources advised that the Appendix 1 was the same as the previous Policy but he did not have the old policy to hand so could not advise further on this.

Members discussed the sentence "The possession and consumption of alcohol on Council premises is strongly discouraged either before or during the working day."

A Member suggested that reference to 'on council premises' could be interpreted to mean that alcohol, drugs and substance abuse was okay if this took place outside of Council premises. It was suggested that an alternative phrase such as 'during work time' might be clearer.

A Member asked what 'strongly discouraged' meant and felt that this could be interpreted in a variety of ways. He suggested that a description of acceptable

and non acceptable behaviour should be made clear to employees during their induction.

**Resolved:** (i) That, subject to a re-wording of the first sentence beneath the heading numbered 4.2 to make clear that the consumption of alcohol on of off Council premises was not acceptable and to clarify the term 'strongly discouraged', the revised policy on Drugs, Alcohol and Substance Abuse attached at Appendix A to the Head of Human Resources report (Ref: 8) be approved.

(ii) That the Head of Human Resources be requested to re-word the document as indicated at (i) above.

#### **14 NEW LOOK LOCAL GOVERNMENT PENSION SCHEME (REF: 9)**

The Exchequer Services Manager advised the Committee of changes to the Local Government Pension scheme and requested the Committee to exercise its discretions in determining the Council's policy on:

- how existing members of the scheme would be allocated to a contribution band on and from 1 April 2008;
- how new scheme members commencing on or after 1 April would be allocated to a contribution band;
- in what circumstances the banding decision would be revisited.

The Committee was advised that new bandings would apply to employees' pension contributions based on their salary range. Where employees' salaries changed, a decision would need to be taken as to whether the changes to pension contributions should take place annually or each time a salary changed. Officers were recommending an annual change as the most efficient option administratively. Where a salary went up, the pension contribution would stay within the lower band until the next review.

However Unison had expressed the view that where a salary went down as a result of organisational change, ill health or disciplinary outcome, the pension contribution sum should go down at that time and not wait until the next review. The Exchequer Services Manager advised that she would need to check whether or not this was permissible and proposed that she report back on this aspect to the next meeting.

In relation to pensionable pay, the Exchequer Services Manager recommended that only what was described in an employees contract should be taken into account for the purposes of pensionable pay. To do otherwise would be detrimental to some employees.

A Member expressed surprise that there had been no national agreement on the banding of salaries and pension contributions. It was acknowledged that for this to be agreed locally could result in a range of discrepancies.

**Resolved:** (i) That the significant differences in the new look Local Government Pension Scheme (LGPS) as described in the Exchequer Services Manager's report (Ref: 9) be noted.

(ii) That the policy for allocating LGPS scheme members to a contribution band based upon:

- Existing scheme members will be allocated to a contribution band based upon their whole-time equivalent contractual pay as at 31 March 2008;
- Scheme members joining the LGPS after 1 April 2008 will be allocated to a contribution band based upon their whole-time equivalent contractual pay as at the date their LGPS membership commences;
- Subject to resolution (iii) below, the contribution band for each active scheme member will be revisited annually on 1 April every year

be approved.

(iii) That the Exchequer Services Manager investigate and report back on the suggestion by Unison that an immediate review of banding should apply to those employees whose salaries were reduced as a result of organisational change, ill health or a disciplinary outcome.

(iv) That contractual pay be defined as the basic pay and emoluments specified in an employee's contract of employment as being a pensionable emolument.

## **15 FREE ENTITLEMENT PROJECT MANAGER POST (REF: 10)**

The Director of Children & Learning sought the Committee's approval to the establishment of a one year fixed term contract for a post to project manage the Wave 2 Pathfinder Project for the introduction of the Flexible Free Extended Educational Entitlement for 3 and 4 years olds in Luton.

The purpose of the post was to trial the implementation of the Extended Free Educational Entitlement offer for 3 and 4 years olds, which would enable parents to access, if they wished, free provision in the form of:

- over a **minimum of 3 days per week**
- between **8.00am and 6.00pm**

- for **at least 6 hours a day**
- In **sessions of 2 hours or more**
- From **a maximum of 2 collaborating providers**
- **over 15 hours per week for a minimum of 38 weeks per year.**

The post was being proposed on a fixed term basis so full costs should be available through Wave 2 Pathfinder Revenue Grants during 2008/09.

**Resolved:** That the creation of a post of Free Entitlement Project Manager for a fixed term until April 2009 to drive forward the Wave 2 Pathfinder project in Luton, be approved.

**16 ADDITIONAL STAFF RESOURCE – PLAYING FOR SUCCESS PROJECT CO-ORDINATOR (REF: 11)**

The Director of Children & Learning sought the Committee's approval to the appointment of an officer with responsibility for ensuring the successful co-ordination of the Department for Children Schools and Families (DSFC) funded 'Playing for Success' project, in partnership with Luton Town Football club.

**Resolved:** That the appointment of an officer with responsibility for co-ordinating the DCFS funded 'Playing for Success' project be approved.

**17 LOCAL GOVERNMENT ACT 1972, PART VA (REF: 12)**

**Resolved:** That, under Section 100A(4) of the Local Government Act 1972, the public be excluded from the remainder of the meeting as it is likely that if members of the public were present during consideration of the item remaining there would be disclosure to them of exempt information falling within Paragraphs 1 & 2 of Part 1 of Schedule 12A to the Local Government Act 1972.

**18 COMPROMISE PAYMENTS (REF: 13)**

In accordance with best practice, the Committee received an annual account of the number and cost of compromise payments paid since April 2007.

**Resolved:** (i) That the report be noted.

(ii) That the Head of Human Resources be instructed to bring a year on year analysis of compromise payments, broken down by Department, to the Committee annually.

**(Note: The meeting ended at 7.00 pm)**