

PART 1 - PUBLIC

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**Decision Maker:** General Purposes and Licensing Committee

**Date:** 7<sup>th</sup> April 2011

**Decision Type:** Non-Urgent Non-Executive Non-Key

**Title:** **STAFF REPRESENTATION AT PENSIONS INVESTMENT SUB-COMMITTEE MEETINGS**

**Contact Officer:** Graham Walton, Democratic Services Manager  
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**Chief Officer:** Mark Bowen, Director of Legal, Democratic and Customer Services

**Ward:** N/A

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1. Reason for report

- 1.1 In 2002, the General Purposes Committee agreed that Council staff should be represented at the Investment Sub-Committee (now the Pensions Investment Sub-Committee) meetings by the Staff Side Secretary. Although the Staff-Side Secretary has continued to attend the Sub-Committee on occasion since then, the situation has not been formally recognised in successive years. The current Chairman of the Sub-Committee, Councillor Nicholas Bennett, has asked that the position be regularised.
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2. **RECOMMENDATION(S)**

- 2.1 **That the Committee confirms that the Staff-Side Secretary be invited to attend meetings of the Pensions Investment Sub-Committee as the representative of Council staff.**

### Corporate Policy

1. Policy Status: Existing policy.
  2. BBB Priority: Excellent Council.
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### Financial

1. Cost of proposal: No cost
  2. Ongoing costs: N/A.
  3. Budget head/performance centre: Democratic Services
  4. Total current budget for this head: £434,444 (controllable budget)
  5. Source of funding: 2010/11 Revenue Budget
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### Staff

1. Number of staff (current and additional): There are 10 posts in the Democratic Services Team
  2. If from existing staff resources, number of staff hours: N/A
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### Legal

1. Legal Requirement: No statutory requirement or Government guidance. General restrictions relating to appointments to committees and sub-committees are set out in the Local government Act 1972 (see section 4 below).
  2. Call-in: Call-in is not applicable. The proposal does not involve an executive decision.
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### Customer Impact

1. Estimated number of users/beneficiaries (current and projected): The Staff Side Representative's role at Sub-Committee meetings is to represent the views of all Council staff in relation to pension fund matters.
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### Ward Councillor Views

1. Have Ward Councillors been asked for comments? No.
2. Summary of Ward Councillors comments: N/A

### 3. COMMENTARY

- 3.1 At its meeting on 18<sup>th</sup> December 2002, the General Purposes Committee (as this Committee was then named) agreed a recommendation from the Investment Sub-Committee (now the Pensions Investment Sub-Committee) that council staff should be represented at meetings of the Investment Sub-Committee by the Staff-Side Secretary. This had earlier been supported in principle by the Local Joint Consultative Committee following consultation with departmental representatives, and is commonly regarded as good practice.
- 3.2 Since 2002, the Staff-side Secretary has been invited to the Sub-Committee's meetings, and has often attended. However, the current Chairman of the Sub-Committee has noted that this arrangement has not been formally recognised in recent years and he has asked that this situation be regularised. Accordingly, General Purposes and Licensing Committee is asked to confirm that the Staff Side Secretary be invited to represent staff at the Sub-Committee.
- 3.3 The Staff-side Secretary cannot be formally co-opted as a member of the Sub-Committee, nor have any voting powers, but they would be entitled to attend meetings, including part 2 sessions, and to speak on behalf of staff on pension fund matters, including the AVC scheme.

### 4. LEGAL IMPLICATIONS

- 4.1 Section 102 of the Local Government Act 1972 deals with the detail of appointments of committees. Section 102 (3) allows the majority of committees to include persons who are not elected members of the council. However section 102(3) is expressly stated to be subject to the provisions of Section 104 of that Act, which prevents anyone who is disqualified from being a councillor by virtue of Part V of the 1972 Act from being appointed as a member of a committee or sub-committee. This includes, in section 80, anyone who holds paid employment with the Council. Therefore, it is not possible for a member of staff to be co-opted to a committee or sub-committee.

### 5. PERSONNEL IMPLICATIONS

- 5.1 It is common practice amongst local authorities to allow staff or trade union representatives to attend investment committees. Time off in lieu would normally be allowed for attendance at evening meetings.

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| <b>Non-Applicable Sections:</b>                       | Policy/Financial  |
| Background Documents:<br>(Access via Contact Officer) | Minutes of General Purposes Committee (18/12/2002)<br>Minutes of Investment Sub-committee (5/11/2002) |