

# Agenda



**AGENDA for a meeting of the EMPLOYMENT COMMITTEE on MONDAY, 12 DECEMBER 2016 in COMMITTEE ROOM A, COUNTY HALL, HERTFORD at 2.15PM or on the rising of Cabinet, whichever is the later**

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## **MEMBERS OF THE COMMITTEE - 5 (Quorum 3)**

M Cowan, R I N Gordon (Chairman), C M Hayward, L F Reeve, A Stevenson

## **AGENDA**

### **PART I AGENDA**

#### **MINUTES**

To confirm the Minutes of the meeting of the Committee held on 20 June 2016 (attached).

#### **1. CHIEF OFFICER SECONDMENT**

Report of the Chief Executive and Director Environment

#### **EXCLUSION OF PRESS AND PUBLIC**

There is no Part II Business on this agenda. If Part II Business is notified, the Chairman will move:-

*"That under Section 100(A)(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following item/s of-business on the grounds that it/they involve/s the likely disclosure of exempt information as defined in paragraphs ..... of Part 1 of Schedule 12A to the said Act and the public interest in maintaining the exemption outweighs the public interest in disclosing the information."*

If you require further information about this agenda please contact Deborah Jeffery, Assistant Democratic Services Manager on telephone no. (01992) 555563 or email [deborah.jeffery@hertfordshire.gov.uk](mailto:deborah.jeffery@hertfordshire.gov.uk)

Agenda documents are also available on the internet at <https://cmis.hertfordshire.gov.uk/hertfordshire/Calendarofcouncilmeetings.aspx>.

# Minutes



To: All Members of the  
Employment Committee, Chief  
Executive, Chief Officers

From: Legal, Democratic & Statutory Services  
Ask for: Deborah Jeffery  
Ext: 25563

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## EMPLOYMENT COMMITTEE 20 JUNE 2016

### ATTENDANCE

### MEMBERS OF THE COMMITTEE

R I N Gordon (Chairman), K M Hastrick (*substitution for M Cowan*) L F Reeve,  
R M Roberts (*substitution for C M Hayward*), A Stevenson

Upon consideration of the agenda for the Employment Committee meeting on 20 June 2016 as circulated, copy annexed, decisions were reached and are recorded below:

Note: No conflicts of interest were declared by any member of the Committee in relation to the matters on which decisions were reached at this meeting.

### PART I ('OPEN') BUSINESS

#### MINUTES

The Minutes of the meeting of the Committee held on 14 March 2016 were confirmed as a correct record and signed by the Chairman.

#### 1. CHIEF OFFICER SECONDMENT

[Officer Contact: Emily Austin, HR Manager, Strategy, Policy & Reward  
(Tel: 01992 556653)]

- 1.1 The Police and Crime Commissioner (PCC) has requested that the current part-time secondment of the Director, Community Protection to the role of Chief Executive of the Police & Crime Commissioner's Office (PCCO) be extended from 1 August 2016 to 31 July 2017, with an opportunity to review it further at that point. The secondment of the Director, Community Protection as the PCCO's Chief Executive has, over the past 3 years, greatly helped to strengthen the existing partnership with Hertfordshire Constabulary and also helped facilitate joint working / resource sharing between the PCC and the County Council.

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## **Decision**

### **1.2 The Employment Committee agreed:**

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- 1) to extend the part time secondment of the Director, Community Protection to the role of Chief Executive of the Police and Crime Commissioner's Office from 1 August 2016 until 31 July 2017; and
- 2) that decisions on any further extensions to the secondment be delegated to the Chief Executive and Director of Environment to agree with the Police and Crime Commissioner, rather than being referred back to the Committee.

## **2. PENSION SCHEMES – ANNUAL UPDATE AND REPORT ON LGPS EMPLOYER DISCRETIONS USAGE**

[Officer Contact: Emily Austin, HR Manager, Strategy, Policy & Reward (Tel: 01992 556653)]

- 2.1 In 2011, Lord Hutton produced his report on 'Public Service Pension Provision' in which he made a number of recommendations on the future of public sector pension schemes. In the light of these recommendations, the Local Government Pension Scheme (LGPS) was revised and launched on 1 April 2014, as a Career Average Re-valued Earning (CARE) scheme or career average scheme. The Committee received a report on the revised schemes, which were launched on 1 April 2015, for the NHS, Teachers and Firefighters pension schemes; all moving to a career average basis.
- 2.2 As part of Lord Hutton's 2011 report, there were also recommendations concerning improved governance of public service pension schemes. Local Pensions Boards have therefore been established for both the LGPS and the Firefighters Pension Scheme.
- 2.3 As part of the 2014 changes, new pension discretions were developed. As agreed by the Committee in April 2014, Members received an annual report on the use of these discretions.

## **Decision**

- 2.4 The Employment Committee noted the update on the Firefighters Pension Scheme (FPS), NHS Pension Scheme (NHSPS) and Teachers Pension Scheme (TPS), including the creation of local pension boards; and the annual update on the use of the Local Government Pension Scheme (LGPS) employer discretions .

**KATHRYN PETTITT  
CHIEF LEGAL OFFICER**

**CHAIRMAN** \_\_\_\_\_

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**CHAIRMAN'S  
INITIALS**

**HERTFORDSHIRE COUNTY COUNCIL**

**EMPLOYMENT COMMITTEE**

**MONDAY, 12 DECEMBER 2016 AT 2.15PM OR ON THE RISING OF  
CABINET, WHICHEVER IS THE LATER**

**CHIEF OFFICER SECONDMENT**

Agenda Item  
No.

**1**

*Report of the Chief Executive and Director of Environment*

Author: John Wood, Chief Executive and Director of Environment  
(Tel: 01992 555200)

**1. Purpose of report**

- 1.1 To seek Employment Committee's agreement to the proposed secondment of Roy Wilsher, Director of Community Protection from 1 April 2017 to 31 March 2018 (with the possibility of extension for a further one year period) to the Chief Fire Officers' Association ("CFOA"). The agreement would therefore be for one year but extendable to two years should all parties be happy to do so.
- 1.2 For Employment Committee to agree the proposal to backfill the role of Director of Community Protection on a one year fixed term contract basis from 1 April 2017 to 31 March 2018 (with the possibility of extension should the substantive post holder's secondment to the CFOA be extended) in line with 1.1 above.

**2. Summary**

- 2.1 The Director of Community Protection is responsible for leadership of the Department which includes Hertfordshire Fire and Rescue Service, Trading Standards and County Community Safety Unit. The current post holder has been offered a secondment opportunity to "CFOA" and the Committee are being asked to consider and agree this one year secondment opportunity with the ability to extend if necessary.
- 2.2 In addition to the role summarised in 2.1, the current Director of Community Protection is seconded on a two day per week basis (up to 14.8 hours per week) to the Police and Crime Commissioner's office ("PCCO"). This arrangement has been in place since April 2013 and is due to end on 31 July 2017. Should the secondment to the CFOA be agreed by Employment Committee, the secondment to the PCCO will be terminated with effect from 31 March 2017. This is permissible under the terms of the secondment agreement with the PCCO, by serving one month's notice.
- 2.3 The Director of Community Protection is a key role and if the secondment to the CFOA is agreed to, then it is proposed to backfill the Director of Community Protection role in order to provide leadership at what is a critical time in the future of the services within the Community Protection

directorate. In considering this secondment, there are some financial implications which are set out in paragraph 5 which will be managed within the Senior Managers' Pay Policy. Other options have been considered and dismissed as being less able to meet the leadership needs of the Department at this time. Backfilling the Director of Community Protection role is seen as essential if the secondment to the CFOA is agreed by the Committee.

### **3. Recommendations**

#### **3.1 That the Committee:-**

- (a) Agrees the proposed secondment of the Director of Community Protection on a full time basis for the period 1 April 2017 – 31 March 2018 (with the possibility of extension for a further year ) to the Chief Fire Officers Association ("CFOA").
- (b) Agrees that the terms of the secondment agreement with the CFOA be settled by the Chief Executive and Director of Environment, in consultation with the Assistant Director, Human Resources.
- (c) Agrees that decisions on any proposed extension to the secondment are delegated to the Chief Executive and Director of Environment with the CFOA, rather than being referred back to the Committee.
- (d) Agrees to the proposal to advertise internally for the post of Acting Director Community Protection as a one year fixed term contract (with the possibility of extension), in order to provide business continuity during the substantive post holder's secondment.

### **4. Background**

- 4.1 The Community Protection Directorate was formed in 2011 by bringing together the activities of Fire and Rescue, trading standards and the combined community safety unit. Its formation was intended to align a number of prevention and regulatory activities and a significant amount of integration across uniformed and non-uniformed staff has been achieved delivering better and more streamlined outcomes for service users.
- 4.2 The Director of Community Protection has been elected by the members of the CFOA to be Chair of the National Fire Chiefs' Council on a full time basis for one year from 1 April 2017. This is a prestigious national position which reflects well on the County Council.

- 4.3 If the secondment is agreed by Employment Committee then it is proposed to advertise internally for a fixed term post (with the possibility of extension) of Acting Director of Community Protection to cover the period of the secondment. Due to the wide remit and importance of the role of Director of Community Protection, it is considered essential that this role is back filled for the term of the substantive post holder's secondment.
- 4.4 In considering the recommendations concerning backfilling the role of Director of Community Protection, the Employment Committee are asked to note that other options were considered:
- **Option 1** – to merge Community Protection with another Directorate;
  - **Option 2** – to not back fill the role of Director of Community Protection, relying instead on the existing direct reports (Deputy Chief Fire Officer and Assistant Director, Community Protection) to take the lead for their respective areas.
- 4.5 Both of these Options are considered less preferable at this time because they would not provide the necessary overall leadership and direction required to successfully manage the Community Protection directorate. It is worth noting that the Police and Crime Commissioner has recently indicated his intention to explore taking over the Fire and Rescue Service as part of the provisions in the new Policing and Crime Bill.
- 4.6 The proposed post of Acting Director of Community Protection is a Chief Officer role, and it will therefore be for Employment Committee to make the decision to appoint to it. Should Committee agree to the proposal in this report then a process would be commenced leading to a decision by Committee early in 2017.

## **5. Financial implications**

- 5.1 Should the proposed secondment be agreed by Employment Committee, the County Council will continue to pay the Director of Community Protection's salary and other associated costs, but these costs will be reimbursed in full by the CFOA.
- 5.2 The County Council currently receives a payment of £72,809 per annum from the PCC under the current secondment agreement. This payment is made to reflect the Council's 50% share of the overall annual savings for the two organisations.
- 5.3 The salary for the position of Acting Director of Community Protection will be set in accordance with the Council's Pay policy.
- 5.4 The Committee should note that some additional salary costs may be incurred in order to backfill the role of the successful applicant for the position of Acting Director of Community Protection. Such additional costs will be in accordance with the Council's pay policy for Senior Managers.

## **6. Equality Implications**

- 6.1 There are no equality implications for the County Council arising from the proposals in this report.