

Report of the Monitoring Officer

13. Urgent Decision Taken (2013/001)

Purpose of report

1. To advise the Policy and Resources Committee of an urgent decision that has been taken since the last meeting of the Committee and to make changes to the Scheme of Delegations to address such matters in the future.
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Recommendations

It is recommended that:

- (i) the decision taken under the Urgent Decisions Procedure be noted; and***
- (ii) that the Scheme of Delegations be amended to authorise the Chief Fire Officer to approve early retirements, in consultation with the Chairman and Treasurer in the case of employees whose salary is less than £45,000 and where the pension costs do not exceed £45,000.***

Introduction and Background

2. At the Authority's meeting on 28 September 2010 the Authority agreed an Urgent Decisions Procedure which was subsequently amended on 16 February 2011. The procedure is set out under Article 9.6 of the Authority's Constitution.
3. The Urgent Decisions Procedure has been adopted for occasions when it would be impractical to call a meeting of the Authority and in such cases the Monitoring Officer, in consultation with the Chairman, shall agree that the matter is urgent.
4. The Urgent Decisions Procedure requires the Chief Fire Officer to consult on the matter with Group Leaders. Then, the Chief Fire Officer, having regard to the consultation shall decide on the matter. Finally, the use of the Urgent Decision Procedure is then reported back to the next meeting of the actual decision-making committee or to the Authority.

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5. During May 2013 a proposed restructuring was in progress within the Service Support Directorate. The target implementation date for this was 17 June 2013.
6. As part of the change management process a member of the Service Support Directorate submitted a request to leave the Service in line with the existing policy on Voluntary Early Retirement.

7. The Chief Fire Officer has delegated authority to consider and decide such requests for voluntary redundancy. However, the pension cost arising from early retirement requires Member approval for voluntary redundancy.
8. Normally, the matter would be reported to the Policy and Resources Committee but the next meeting of the Committee was not until 4 September 2013. Although there was a meeting of the Authority scheduled for 18 June 2013 I did not consider this item to be an appropriate item for that agenda and in my view a decision was required before then in order to implement the proposed changes.
9. This case highlights a wider issue regarding the extent to which the Committee needs to be involved in approving early retirement. Whilst it is right and proper for Members to be involved in scrutinising proposals involving senior staff, it is suggested that the Scheme of Delegations be amended to allow the Chief Fire Officer, in consultation with the Chairman and Treasurer to determine early retirements where the salary costs are less than £45,000 and the pension costs do not exceed £45,000.

Conclusion/Summary

10. Following consultation with the Chairman and Group Leaders, a decision was taken on 22 May 2013 by the Chief Fire Officer to approve the request for voluntary early retirement on the basis that this then avoided the need to make compulsory redundancies. No enhancement to pension benefits was proposed but there was a pension strain applicable in accepting the request. This totalled £16,785.63. In this case it was considered to be in the best interests of the Authority to approve the early retirement and for this to be agreed in order to facilitate the restructuring. In this case it was considered through the Urgent Decisions Procedure.

Corporate Considerations

Resource Implications (identify any financial, legal, property or human resources issues).	Yes, redundancy and pension costs under Voluntary Early Retirement procedure.
Strategic Policy Links (identify how proposals link in with current priorities and policy framework and if they do not, identify any potential implications).	None.
Risk Management/Health & Safety (identify any risks, the proposed control measures and risk evaluation scores).	None

Consultation (identify any public or other consultation that has been carried out on this matter).	None.
Equalities (has an Equalities Impact Assessment been completed? If not, why not?)	None – not applicable.

Supporting Information

Background papers – The Authority's Constitution

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