



ALACE Council Meeting

Date: Thursday 5th January 2017

Time: 2pm – 3.30pm

Venue: Room 10A&B, 17th floor, Westminster City Hall, 64 Victoria Street, London, SW1E 6QP

Attendees: Rob Tinlin (Chairman), Michel Saminaden (Hon. Treasurer), Ian Miller (Hon. Secretary), Charlie Parker, Nick Walkley, David Hughes, Alistair Stewart.
Consultants: Peter Bounds, Cheryl Miller, John Schultz, Roger Morris, Richard Penn, Pete Morris

Attended by telephone conference: Tracey Lee (Vice Chairman), Mary Pitcaithly, Karen Satterford

1. Welcome

The Chairman welcomed those attending.

2. Apologies

David Cook, Duncan Sharkey, Rachel Shimmin, Alison Ward, Alistair Buchan, Jerry Hutchinson, Mark Williams, John Sellgren, Merran McRae

4. Minutes from the meeting held on 5 October 2016 / Matters Arising

The minutes were approved as an accurate record.

There had been a change of Minister in the Welsh Government and the reorganisation plans had been shelved.

The Hon. Treasurer was still doing work on a potential cost cap in respect of pensions advice: see item 10 below.

Constitutional matters

5 Endorsement of action taken to fill vacancies on the Council since the last meeting

The Council endorsed the action taken by the Hon. Secretary and formally ratified the appointment of Rachel Shimmin (Buckinghamshire) and Duncan Sharkey (Milton Keynes) as members of the Council. Nick Walkley and Charlie Parker noted that they had approached colleagues in metropolitan councils to seek further volunteers to join the Council.

6 Succession planning in view of impending retirement of the Chairman and Hon. Treasurer

Tracey Lee would take over as Acting Chairman when Rob Tinlin retired. The Constitution provides that “An Officer of the Association may, while continuing in office, retain Membership of the Association...notwithstanding otherwise ceasing to be eligible”. The Hon. Treasurer indicated that, accordingly, he would serve until the AGM and would be prepared to consider serving beyond that date if the Constitution was amended to permit a person who was not otherwise a member of the Association to be the Hon. Treasurer. The Council welcomed this and agreed to include a proposal for such an amendment in the constitution that would be recommended for approval at the AGM.

7 Review of membership categories

The Council considered the detailed drafting of eligibility for membership following its discussion at the last meeting. The drafting was supported and would be incorporated in the proposed changes to the constitution for approval at the AGM.

The Council also agreed that it would be helpful to clarify that a member remained eligible for support for the remainder of a calendar year even if he or she left employment in an eligible category part way through the year (for example, this might particularly be relevant in respect of support on pensions if an individual was moving between sectors); and that support could be provided even after a person had left local government and ALACE membership in relevant cases e.g. if an issue arose in relation to a settlement negotiated with ALACE support.

Activity updates

8. Financial and membership report

The Hon. Treasurer reported that the accounts were being finalised and expected to show an overspend for 2016 of about £50k. Forty one members had left during the year while 40 had joined. It was agreed that the focus should be on recruitment of new members, including from Northern Ireland, rather than reducing services for members.

The Hon. Treasurer would however look at mechanisms for spreading the cost of renewal and whether there was a case for introducing something akin to an “excess” on an insurance policy for members who called heavily on support (perhaps related to length of membership, where the “excess” might be higher for those with longer membership of the Association). Any proposal for introduction of such an “excess” would be brought to a future meeting for discussion.

The Council reviewed the policy of charging 1.5 years’ membership fee for those joining after 1 July in a given year. It was agreed that this should be changed to require 2 years’ fee as in other cases.

9. Consultants’ Update – oral report

John Schultz introduced statistics on the caseload that had been handled by the consultants in the last quarter of 2016. 42 members had been supported with over half the cases relating to pensions. The consultants gave a brief anonymised

summary of the main cases that they were dealing with or had been able to close, including supporting members in difficult relationships with their employers and members who had left their organisations with packages negotiated by ALACE. The additional capacity on pensions provided by Pete Morris was very welcome. He reported that cases were generally very complex and being triggered by taxation issues. The impending exit cap was not proving much of an issue yet although seemed to lie behind some recent restructurings and departures.

Concern was raised about the ability of the LGA to step in with dysfunctional authorities as they frequently involved difficulties for senior officers. It was agreed to make an offer that ALACE could assist to provide support, experience and mentoring. Discussions would be held with the LGA, and Nick Walkley would raise it in a meeting with the LGA the following week.

The consultants were thanked for their work.

Policy issues and services for members

10. Review of access to free pension support

A detailed paper on the number of members who had received support over the last 5 years (almost 200) at an average cost of £368 i.e. just ahead of the current annual membership fee. The cost had been rising steadily over that period, and had doubled. The number of members receiving support had been over 60 in each of the last two years, demonstrating the significant growth in this area of activity. For a significant minority of cases, the cost of support exceeded two years' membership although, inevitably, most people falling into this category had been members of ALACE for a long time.

The conclusions of the paper which were endorsed by Council were:

- there is not yet a case for applying a limit to the free support provided to an individual on pensions;
- this would be kept under review, with regular reports to Council from Cheryl Miller on the level of activity and cost.

The Council did not support the suggestion that a financial limit should be considered for the individual support provided to members facing employment difficulties. ALACE is a trade union, and representation of individual members is a central part of the role of a trade union. The test for limiting support should not be financial but should be reasonableness of the member and his or her position, for example where the member was not accepting the union's advice.

11. Policy on filling of chief executive post in cases of voluntary merger of councils

The draft statement of policy prepared by the Hon Secretary was considered, following the discussion at the last meeting. Amendments to clarify the statement, to make clear that TUPE would apply and to oppose the Government imposing a requirement for competition were discussed. The Hon Treasurer would amend the statement and circulate to relevant members facing this situation to seek final

comments prior to endorsement by Council.

Richard Penn left the meeting at this point.

12. Reforms to public sector exit payments

There had been no developments on this issue. Draft regulations to implement the £95k cap were awaited and would be the subject of consultation. Proposals for further general changes to exit payments in the local government sector were awaited from DCLG.

13. Use of the website

The report from John Schultz was noted: our members are using the website “quite a lot”.

14. AOB

The contracts with Hymans and Close Brothers would be varied by exchange of letters: the Hon Secretary and Cheryl Miller have this in hand.

The Council extended thanks to Rob Tinlin for his service to the Association over many years, including lengthy service on the National Council and for several years as Chairman. It extended best wishes to him and to Michel Saminaden on their forthcoming retirements. Council congratulated Nick Walkley on his appointment to the Homes and Communities Agency, and wished him “good luck” in the role.

15. Dates of meetings for period to AGM in 2017

The Council would meet on Thursday 23 March 2017 at Westminster City Hall, 12pm (time TBC). The AGM would be on Wednesday 5 July 2017, 12 noon to 2pm, Birmingham (venue TBC).