



**DORSET & WILTSHIRE
FIRE AND RESCUE
AUTHORITY**

**DRAFT Minutes of the
DWFRA Appeals Committee meeting
held at 10:00 hours on 6 October 2017 at the
Dorset & Wiltshire Fire and Rescue Service Headquarters, Salisbury**

These are draft Minutes prepared by officers which will be approved by the Appeals Committee.

Members present: Cllr Steve Allsopp, Cllr Andrew Davis; Cllr Matthew Dean (Chairman); Cllr Garry Perkins; Cllr Ann Stribley.

Officer attendance: Clerk & Monitoring Officer to DWFRA, Mr Jonathan Mair; Head of HR Jane Staffiere; HR Delivery Manager, Ms Carol Swan; Democratic Services Officer, Mrs Marianne Taylor

17/1 Welcome

17/1.1 The Chairman opened the meeting and welcomed attendees. He invited attendees to introduce themselves.

17/2 Apologies

17/2.1 Apologies were received from Cllr Kevin Brookes and the Head of People Services, Ms Jenny Long.

17/3 Code of Conduct, Declarations of Interest and Notifications of Any Other Business

17/3.1 The Chairman asked the meeting for any disclosures of pecuniary interests under the localism act. There were no disclosures.

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17/4 To consider passing the following resolution:

17/4.1 In accordance with Section 100A (1, 2 & 3) of the Local Government Act 1972, to exclude the press and public for the business specified below because it is likely that if members of the public were present there would be disclosure to them of exempt information as defined in Paragraphs 1 of Part 1 of Schedule 12A to the Act and the public interest in withholding the information outweighs the public interest in disclosing the information to the public.

Moved by chair, seconded by Cllr Garry Perkins and unanimously agreed.

17/4.2 **Resolved: The resolution be passed.**

Part 2

17/5 Internal Dispute Resolution Procedure – Stage 2 Appeal

17/5.1 The Monitoring Officer, Mr Jonathan Mair, took Members through the terms of reference and procedure, outlining the status of the meeting, its limitations and its purpose. He summarised the background to the appeal, the pension scheme and the grey book protocols. He explained the unusual nature of the appeal in that the decision must be arrived at based on the appellant's stage two appeal and his report and there would be no representation from the appellant. If Members decided to deny the appeal then the appellant would have a right to refer the matter to the Pensions Ombudsman.

17/5.2 Mr Mair, outlined the papers and provided background to the Dorset & Wiltshire Fire and Rescue Service stage one appeal. He impressed upon Members that any entitlement to compensation would be from the Dorset & Wiltshire Fire and Rescue Authority (DWFRA) and not the pension fund, explaining that the relationship is between the Authority and the appellant.

17/5.3 Members' discussed, in depth, the papers provided to them.

17/5.4 The Chairman summarised the mood of the meeting, in that Members were minded to find in favour of the Appellant who had followed the correct processes and which have taken some time to resolve. Mr Mair summarised the reasons behind his suggestions in para 6.6. and recommended they find in favour of the Appellant.

17/5.5 **RESOLVED: That Members allow the appeal brought at stage 2 of the Independent Dispute Resolution Procedure and that a payment of compensation be made in accordance with section 6.6 of this report.**

17/5.6 **RESOLVED: That a good faith payment of £1000 be made to appellant for his time and trouble in bringing the appeal.**

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Initials _____

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- 17/5.7 **RESOLVED:** That Members on the DWFRS local pensions board are asked to consider all changes to pension fund Terms and Conditions and that pension fund members are advised of significant changes that affect them.
- 17/5.8 **ACTION:** The Monitoring Officer to write to the appellant to advise of the Appeals Committee decisions.
- 17/5.9 **ACTION:** the head of HR and HR delivery manager to carry out a thorough scrutiny of paperwork to ascertain whether or not Wiltshire Council Pension scheme were advised of the status of the Appellant's final role.
- 17/5.10 **ACTION:** the Head of HR and the HR Delivery Manager to carry out a thorough scrutiny to ascertain if there are other pensioned staff in a similar situation as the appellant.
- 17/5.11 **ACTION:** the Monitoring Officer to provide information on the type and nature of advice provided to the former CFO.
- 17/5.12 **ACTION:** the Monitoring Officer to review the appeals procedure for DWFRA and include learning from this Appeal.

Closed at 11.05

Signed: _____

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Initials _____