



GOVERNANCE COMMITTEE

12 February 2025

Subject Heading:

**PENSION COMMITTEE – STAFF
MEMBER VOTING RIGHTS**

SLT Lead:

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Policy context:

A well run Council that delivers for People and Place.

Financial summary:

There are no financial implications arising from this report.

The subject matter of this report deals with the following Council Objectives

People - Things that matter for residents

Place - A great place to live, work and enjoy

Resources - A well run Council that delivers for People and Place. X

SUMMARY

1. The Council's Pension Committee is currently comprised of: "7 Councillors, one co-opted Member and two non-voting observers."
2. In September 2023, Governance Committee considered whether to allow a Trade Union representative a vote at Pension Committee. Whilst that proposal was not agreed, Governance Committee agreed to the principle that a staff representative

Governance Committee, September 2023

should be granted a vote at Pension Committee, on the understanding that the staff representative could well be a trade union representative (but need not necessarily be).

3. This paper contains detail as to that proposal.
4. Governance Committee is therefore asked to decide whether or not to recommend the proposal to Full Council for approval.

RECOMMENDATIONS

5. Governance Committee is asked to decide either that:
 - (a) No change be made to the constitution; OR
 - (b) That the Monitoring Officer be asked to make the necessary amendments to the Constitution so as to allow voting rights for a duly elected staff representative.
6. In the event that Governance Committee adopts the recommendation at 5(b) above, the revised Constitution shall be submitted to Full Council for approval.

REPORT DETAIL

7. The Pension Committee is currently comprised of: 7 Councillors, one co-opted Member and two non-voting observers.
8. The two non-voting observers are appointed by the trade unions. These appointees have no voting rights but are present during all discussions including those concerning any exempt business. The trade union attendees undertake the same level of training as members of the Pension Committee and have a good level of attendance.
9. Many other councils do allow for one or more staff representative with voting rights. (Details of which are shown in the previous Governance Committee report on this matter).
10. A summary of proposed change to the constitution are shown in the attached schedule.
11. The views of Governance Committee are therefore invited.

11a. In the event that the proposal is approved by Governance Committee, and thereafter Full Council, a process to identify the staff representative will be commenced, based upon the following principles:

- (a) Any Havering employee who is part of the pension fund may nominate themselves to be the staff representative.
- (b) To be eligible to be the staff representative, the nominee will be asked to demonstrate their capacity to attend and complete the necessary preparation for meetings and participate in training as required.
- (c) Where there is more one nominee deemed eligible, Havering staff shall be asked to vote on who should represent them.

NB No officer or elected member who is responsible for the discharge of any function of the Council (as administering authority) may serve as the staff representative.

IMPLICATIONS AND RISKS

Equalities implications and Risks

12. None.

Legal implications and Risks

13. There are no legal implications arising directly from recommendations in this report.

14. The Pensions Committee is responsible for the management of the Council's Pension Fund investment portfolio and may take decisions on those matters that are not the responsibility of the Executive under the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 relating to matters concerning the Local Government Pension Scheme.

Financial implications and risks:

15. There are no financial implication arising from contents of this report.

Human Resources implications and risks:

16. The recommendations made in this report do not give rise to any identifiable HR risks or implications that would affect either the Council or its workforce.

Environmental and climate change implications and risks

17. None.

BACKGROUND PAPERS

Governance Committee agenda and papers from 26 September 2023.

Schedule

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Pensions Committee

See annex 3

7 Councillors, one co-opted Member, one staff representative (with voting rights) and one non-voting observer.

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3.3 Although not strictly a Member of the Committee, in accordance with the Constitution, one representative of the Officers is appointed by the unions to attend and contribute to meetings of the Committee. The appointee has no voting rights but is present during the discussion of any exempt business.

3.3a The Officers shall be entitled to elect a representative who shall become a full member of the Committee and shall exercise full voting rights on their behalf.

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(b) The trade unions representing staff who are members of the Council's pension fund may between them appoint one representative who shall be entitled to attend and speak at meetings of the Pension Committee, but not to vote. The representative shall be entitled to remain should the public be excluded on the grounds that exempt information is to be considered.

(c) The Officers shall be entitled to elect a representative who shall become a full member of the Pension Committee and shall exercise full voting rights on their behalf.