

DERBY HOMES LIMITED

MINUTES OF THE GOVERNANCE COMMITTEE MEETING

Held on Thursday 1 September 2022

The meeting started at 5.30 pm

Board Members Present:

Jsan Shepherd (Chair) Mike Ainsley, Councillor Lucy Care, Councillor Shiraz Khan, Iain MacDonald, Councillor Jerry Pearce and Bob MacDonald.

Officers Present:

Michael Kirk, Finance Director and Company Secretary
Taranjit Lalia, Head of Governance and Corporate Services – Company Solicitor
Louise Paget, Governance Officer

22/7 Apologies

Apologies were received for absence from Jenn Layton-Annable.

22/8 Admission of Late Items

There were no late items.

22/9 Declarations of Interests

The Council Board Members were noted as declaring their interest in matters relating to Derby City Council.

The Tenant Board Member declared their interest as a tenant (as defined in the Memorandum and Articles of Association) of Derby City Council.

22/10 Minutes of Previous Meeting

The minutes of the meeting held on the 21 April 2022 were accepted as a correct record.

22/11 Matters Arising

21/20 update

The Board Member remuneration has been processed through payroll. The Finance Director has had approval from Rachel North to increase Derby Homes' Board Member pay to fall in line with Derby City Council and for future increases to fall in line with pay awards. A further update will be given when the 2022/23 figure has been agreed.

22/12 Rule of 85 Declined Applications

The Committee considered the report of the Interim Finance Director which gave an update Rule of 85 applications that have been declined.

At the Governance Committee meeting on 21 September 2020 a Rule of 85 application was agreed by the Committee and it was suggested that a report should be brought back every six months of cases where applications had been declined.

Since the meeting of this Committee on 21 April 2022, there has been one application which was refused on the grounds that there was no business case to support the request. The employee subsequently resigned, and Derby Homes are in the process of recruiting to the vacant post. There have been no other applications received or approved.

Agreed

The Governance Committee noted the report.

22/13 Mutual Benefits of flexible retirement

This report has been prepared at the request of the Governance Committee to outline the mutual benefits of flexible retirement.

The Policy allows that any employee over the age of 55 can request Flexible Retirement. In considering a request there has to be benefits for the organisation and the needs of the service are paramount.

Agreed

The Governance Committee noted the report and were supportive of the flexible retirement concept.

22/14 Leaving Employment Policy Update

The Governance Committee at their meeting of 12 November 2020, updated the triannual review of the Leaving Employment Policy.

This report proposes a minor addition to the policy, in advance of its planned full review in November 2023. Specifically in relation to how the

payment of back pay on delayed pay rises to employees who have left the organisation is administered.

The Governance Committee raised concerns about the outstanding pay reward. Derby Homes confirmed that written requests for back pay will be honoured prior to 1 September 2022. However, leavers after this date will not be entitled to the backpay. Derby Homes are legally not obliged to grant the back pay when an employee's contract has ended.

Derby Homes have not consulted with the Trade Unions however, Derby City Council have already implemented this.

Agreed

The Governance Committee approved:

- To add into the Leaving Employment policy that upon the ending of employment with Derby Homes, the employee ends any entitlement to any pending pay award.
- To apply the amendment, immediately from 1 September 2022.

The Governance Committee noted if at the date of leaving, the employee is employed on NJC terms and conditions, following a TUPE transfer. If so, then these terms and conditions will override the Derby Homes policy. If the NJC terms and condition are silent on this back pay, then the Derby Homes policy will apply.

Date and time of next meeting: Thursday 3 November 2022, 5:30pm

The meeting ended at 5:53

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CHAIR

Signed as true and accurate record of the meeting held on 1 September 2022