

<b>Subject</b>	<b>Reporting of Urgent Decisions Taken Between Meetings</b>	<b>Status</b>	For Publication
<b>Report to</b>	Authority	<b>Date</b>	10 <sup>th</sup> December 2020
<b>Report of</b>	Director and Clerk		
<b>Equality Impact Assessment</b>	Not Required	<b>Attached</b>	No
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## **1 Purpose of the Report**

- 1.1 To report to the full Authority decisions taken since the last meeting using the urgent business procedure set out in the Constitution.
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## **2 Recommendations**

- 2.1 Members are recommended to:
- a. Note the decisions taken under the urgent business procedure since the last meeting.**
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## **3 Link to Corporate Objectives**

- 3.1 This report links to the delivery of the following corporate objectives:  
**Effective and Transparent Governance**

To uphold effective governance showing prudence and propriety at all times.

Where decisions cannot be taken through the usual procedures at a meeting of the Authority it is important that the decision taken is formally reported to all members.

## **4 Implications for the Corporate Risk Register**

- 4.1 The production of this report addresses the identified risks around maintaining the strength of the Authority's governance arrangements.

## **5 Background and Options**

- 5.1 The Authority's constitution like that of all local authorities provides a mechanism for the making of urgent decisions between meetings of the Authority. It is good practice to report the taking of such decisions back to the Authority, although in the case of SYPA such decisions are published and are available through the Authority's website.

- 5.2 The Urgent Business procedure relies upon the Chair to make a specific decision, on behalf of the Authority, in consultation with the s41 members. Generally officers will seek to avoid using this procedure but since the last meeting two circumstances have arisen where it has been necessary. These are outlined below and links are provided under background papers to the specific decision reports.
- 5.3 Implementation of the Public Sector Exit Payments Cap – The Government brought into effect regulations placing a cap of £95k on exit payments from the public sector on 4<sup>th</sup> November 2020. In England the definition of the cap includes pension strain payments due to LGPS funds. Separately proposals are being consulted on to amend the LGPS regulations to allow them to work with the new exit payments cap. Any new LGPS regulation are unlikely to come into force until towards the end of the first quarter of 2021. Thus there is currently a conflict between the two sets of regulations which leaves any decision made by the Authority potentially liable to challenge. The Chair was asked to approve a holding position pending the implementation of the new LGPS regulations which ensures that individual scheme members receive at least some LGPS benefit, while in the event of challenge not resulting in a need to recover money from the individual scheme member. Determining the Authority’s position in relation to this matter is properly a decision for elected members and was urgent because a decision was required in the period between advice from the LGA becoming available on 29<sup>th</sup> and 30<sup>th</sup> October and the new regulations coming into force on 4<sup>th</sup> November.
- 5.4 The Authority’s Corporate Strategy includes a project to replace its business systems, including the main financial management system. Work has begun using relevant frameworks to identify possible replacement products. This has identified a preferred solution. Subsequent to the identification of the preferred solution the provider has made a time limited offer requiring a decision by the end of November which will result in a significant saving to the Authority. As this is an offer which relates to the system that is in any case the Authority’s preferred option authority was sought to waive contract standing orders to make a direct award under the relevant framework in order to secure this more favourable financial arrangement. Had this timing issue not been a factor a report would have been brought to this meeting to secure the necessary approvals and a report elsewhere on the agenda for this meeting deals with other aspects of this project and provides additional background over and above that provided in the decision report considered and approved by the Chair.

## **6 Implications**

- 6.1 The proposals outlined in this report have the following implications:

Financial	As set out in the individual decisions
Human Resources	As set out in the individual decisions
ICT	As set out in the individual decisions
Legal	As set out in the individual decisions
Procurement	As set out in the individual decisions

**George Graham**

**Director**

**Sarah Norman**

**Clerk**

<b>Background Papers</b>	
<b>Document</b>	<b>Place of Inspection</b>
Implementation of the Public Sector Exit Payments Cap Acquisition of replacement business systems	<a href="https://www.southyorks.gov.uk/JAGUHome/Pensions/OfficerDecisions.aspx">https://www.southyorks.gov.uk/JAGUHome/Pensions/OfficerDecisions.aspx</a>