

EXECUTIVE DECISION RECORD SHEET

Name of decision maker:	Nicholas Tiley
Portfolio:	Finance & Resources
Date of Portfolio Holder Decision:	24 April 2012
Title of Decision: Confirmation of Cabinet decision of 27 March 2012 to approve the transfer of Facilities Management staff to Serco under TUPE regulations.	
Part I	
Part II Reason:	

<p>Decision made and reasons:</p> <p>Decision: To confirm the outsourcing of the Facilities Management Service to Serco for a four year period from 1 May 2012.</p> <p>Reason:</p> <p>On 27 March 2012 Cabinet approved a recommendation that authority be delegated to the Portfolio Holder for Finance and Resources to give final approval for the outsourcing of the Facilities Management Service to Serco, subject to the Portfolio Holder receiving assurances from officers that any outstanding issues concerning the protection of the terms and conditions (including pension arrangements) of the staff who are to be transferred under TUPE have been satisfactorily resolved.</p> <p>All outstanding issues have been resolved. A tripartite agreement between the Council, Serco and Herts Pension Fund is required to ensure that all pension rights are transferred as per TUPE regulations. This agreement is subject to the approval of the transfer which will be effected by this decision.</p>
<p>Reports considered: (here reference can be made to specific documents)</p> <p>Cabinet report December 2011: Facilities Management – analysis of delivery options</p> <p>Cabinet report March 2012: Facilities Management – final analysis of delivery options</p>
<p>Officers/Councillors/Ward Councillors/Stakeholders Consulted: Facilities Management staff Human Resources officers for DBC and Serco Herts Pension Fund</p>
<p>Monitoring Officer Comments:</p> <p>No further comments to add.</p> <p>Section 151 Officer comments S151 Officer comments have been concluded in the decision sheet. As mentioned in</p>

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the comments above, Serco is seeking admitted body status to the Local Government Pension Fund operated by Herts County Council. Dacorum Borough Council will be required to provide a bond of assurance over the continued pension rights of employees transferred under the terms of the contract, to secure the future rights of those employees in the event of default by the company. This agreement will come into effect at the date of transfer.

Implications

The full value for money, financial and risk implications of this decision are set out in previous reports approved by Cabinet.

Portfolio Holders' Signature:

Date:

Details of any interest declared and any dispensation given by the Standards Committee:**For Member Support Officer use only**

Date Decision Record Sheet received from portfolio holder: 19/04/12

Date Decision Published: 24/04/12

Decision No: PH/022/12

Date of Expiry of Call-In Period: 01/05/12

Date any Call-In received or decision implemented: