

**Personnel Committee – 18<sup>th</sup> November, 2014**

**Disestablishment of the Appointment and Dismissal Sub-Committee**

**1. Summary of Report**

- 1.1 This report sets out proposals to disestablish the Appointment and Dismissal Sub-Committee of the Personnel Committee with immediate effect.

**2. Recommendations**

- 2.1 That; -
1. approval be given to the disestablishment of the Appointment and Dismissal Sub-Committee with immediate effect;
  2. the delegations, which had been conferred upon the Appointment and Dismissal Sub-Committee, be returned to the Personnel Committee as set out in **Appendix 1**.

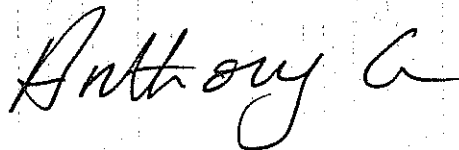
**3. Background Information**

- 3.1 At its meeting on 3<sup>rd</sup> October, 2014, the Personnel Committee resolved to establish 3 Sub-Committees of the Personnel Committee; these being 2 Employment Appeals Sub-Committees (Panels A & B) and the Appointment and Dismissal Sub-Committee.
- 3.2 The Appointment and Dismissal Sub-Committee was established in order to consider Chief Officer Appointments and Dismissals. Subsequent to the establishment of this Sub-Committee, it has been decided that it would be most appropriate that such decisions would be best considered by the Personnel Committee itself. In view of this, it is, therefore, proposed that the delegations be taken back by Personnel Committee and that the Appointment and Dismissal Sub-Committee be disbanded.
- 3.3 The original report submitted to the Personnel Committee at its meeting on 3<sup>rd</sup> October is attached at Appendix 2 for information.

**Author**

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Signed:

A handwritten signature in black ink, appearing to read "Anthony A.", is centered within a faint, dotted rectangular border.

Assistant Director of Legal and Democratic Services

10<sup>th</sup> November, 2014

Employment Appeals Sub-Committees ('A' & 'B')	Personnel Committee
<p>(1) To determine appeals against dismissal submitted by employees at all levels below Assistant Director level in the context of the application of the relevant procedure or for claims of unfair or unduly severe sanctions only, in accordance with the policies approved by the Council.</p>	<p>(1) To act as the Committee which makes recommendations to Council on the appointment and dismissal of the Head of the Paid Service, the Chief Executive;</p> <p>(2) The appointment and dismissal of Executive Directors and Assistant Directors in accordance with the Employment Procedure Rules, subject to the Well Founded Objection Procedure, in accordance with the provisions of the Local Authorities (Standing Orders) (England) Regulations, 2001;</p> <p>(3) To act as the Committee which considers matters relating to the conduct and capability of the Chief Executive, Executive Directors and Assistant Directors in accordance with the provisions of the Local Authorities (Standing Orders) (England) Regulations, 2001;</p> <p>(4) To determine whether or not the Chief Executive should be suspended pending investigation into allegations of misconduct or incapability, in accordance with the Local Authorities (Standing Orders) (England) Regulations, 2001;</p> <p>(5) To approve the remuneration levels (other than those associated with the National Pay Awards) for the Chief Executive, Executive Directors and Assistant Directors;</p> <p>(6) To approve procedures for the appointment and dismissal of staff;</p> <p>(7) To recommend Council on the designation of the Monitoring Officer and the Chief Finance Officer;</p> <p>(8) To consider policies for approval by the Council on the exercise of its functions under the Local Government Pension Scheme and the Teachers' Pension Scheme;</p> <p>(9) To consider policies, procedures and schemes relating to employment matters including pay and grading structure and changes to employee terms and conditions of employment;</p> <p>(10) To appoint Sub-Committees to deal with Appeals against dismissal for Officers below Assistant Director level.</p>

### Personnel Committee – 3<sup>rd</sup> October, 2014

#### Establishment of Personnel Sub-Committees

##### 1. Summary of Report

- 1.1 This report sets out proposals to establish 3 Sub-Committees of the Personnel Committee each with power to deal with various aspects of the Personnel Committee's delegations.

##### 2. Recommendations

- 2.1 That approval be given to the establishment of 3 Sub-Committees as set out below, together with the delegations as set out in **Appendix 1**.
- Employment Appeals Sub-Committee 'A';
  - Employment Appeals Sub-Committee 'B';
  - Appointment and Dismissal Sub-Committee.
- 2.2 That the Memberships of each Sub-Committee and the appointment of Chairmen and Vice-Chairmen to each Sub-Committee be approved as set out in **Appendix 2** (to be tabled).
- 2.3 That it be agreed that the Employment Appeals Sub-Committees continue with the existing practice of meeting on Tuesdays (Committee B) and Thursdays (Committee A) both at 10.30am, and that meetings be cancelled where they are not required.
- 2.4 That it be agreed that the Appointment and Dismissal Sub-Committee be called as and when required, subject to consultation with the Chairman of the Sub-Committee.

##### 3. Background Information

- 3.1 At its meeting on 22<sup>nd</sup> September, 2014, the Council resolved to establish a Personnel Committee.
- 3.2 This decision has, in effect, disbanded the Appointments Board with all of its functions being subsumed into the delegated authority of the Personnel Committee.

## Appendix 2

- 3.3 In addition, the decision of Council also requires that the functions of the Employment Appeals Committee also be subsumed within the delegated authority of the Personnel Committee.

**Background papers** – Report to Council dated 12<sup>th</sup> September, 2014.

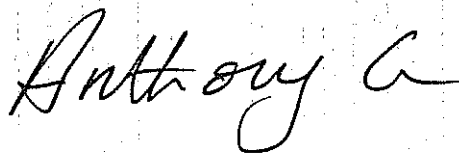
### Author

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Signed:

A handwritten signature in black ink, appearing to read 'Anthony A.', is written over a faint, dotted grid background.

Assistant Director of Legal and Democratic Services

24<sup>th</sup> September, 2014

**Personnel Sub-Committees: Delegations**

1. The Personnel Committee will establish 3 Sub-Committees to undertake specific functions as delegated by the Committee.
2. The 3 Sub-Committees will be named; Employment Appeals Sub-Committee (Sub –Committee ‘A’ & Sub-Committee ‘B’); and Appointment and Dismissal Sub-Committee.
3. **Membership:** Each Sub-Committee will comprise 7 Members of the Authority, as notified to the Chief Executive, and each Sub-Committee will be subject to Political Balance.
4. **Substitutes:** Substitute Members may be nominated to the Sub-Committees in accordance with paragraph 4 of the Council Procedure Rules (Part 4), subject to the nominee satisfying the training requirements identified below at 9.
5. **Chairmen and Vice-Chairmen:** The Chairmen and Vice-Chairmen will be appointed for each Sub-Committee by the Personnel Committee.
6. **Quorum:** The quorum of each Sub-Committee shall be one third of the membership, subject to a minimum of three.
7. **Meetings:** -
  - a) The Employment Appeals Sub-Committees shall meet on Tuesdays at 10.30am for Sub-Committee ‘B’ and Thursdays at 10.30am for Sub-Committee ‘A’;
  - b) The Appointment and Dismissal Sub-Committee shall meet as and when required, in consultation with the Sub-Committee’s Chairman.
8. **Access to Information:** The Sub-Committees will comply with Access to Information Rules set out in Part 4 of the Constitution.
9. **Training:** Each Member appointed to a Sub-Committee of the Personnel Committee must satisfy the training requirements, as set out in the Personnel Committee’s delegations in Part 3.2 of the Constitution.
10. **Delegations:** The Sub-Committees will hold the delegated powers, as conferred upon them by the Personnel Committee, which are set out in the table below. The Personnel Committee, however, reserves the authority to undertake any of the functions contained within its delegations, and as conferred upon its Sub-Committees, at the Personnel Committee Chairman’s discretion.

<b>Employment Appeals Sub-Committees (‘A’ &amp; ‘B’)</b>	<b>Appointment and Dismissal Sub-Committee</b>	<b>Functions reserved to the Personnel Committee</b>
<p>(1) To determine appeals against dismissal submitted by employees at all levels below Assistant Director level in the context of the application of the relevant procedure or for claims of unfair or unduly severe sanctions only, in accordance with the policies approved by the Council.</p>	<p>(1) To act as the Committee which makes recommendations to Council on the appointment and dismissal of the Head of the Paid Service, the Chief Executive;</p> <p>(2) The appointment and dismissal of Executive Directors and Assistant Directors in accordance with the Employment Procedure Rules, subject to the Well Founded Objection Procedure, in accordance with the provisions of the Local Authorities (Standing Orders) (England) Regulations, 2001;</p> <p>(3) To act as the Committee which considers matters relating to the conduct and capability of the Chief Executive, Executive Directors and Assistant Directors in accordance with the provisions of the Local Authorities (Standing Orders) (England) Regulations, 2001;</p> <p>(4) To determine whether or not the Chief Executive should be suspended pending investigation into allegations of misconduct or incapability, in accordance with the Local Authorities (Standing Orders) (England) Regulations, 2001.</p>	<p>(1) To approve the remuneration levels (other than those associated with the National Pay Awards) for the Chief Executive, Executive Directors and Assistant Directors;</p> <p>(2) To approve procedures for the appointment and dismissal of staff;</p> <p>(3) To recommend Council on the designation of the Monitoring Officer and the Chief Finance Officer;</p> <p>(4) To consider policies for approval by the Council on the exercise of its functions under the Local Government Pension Scheme and the Teachers’ Pension Scheme;</p> <p>(5) To consider policies, procedures and schemes relating to employment matters including pay and grading structure and changes to employee terms and conditions of employment;</p> <p>(6) To appoint Sub-Committees to deal with appointments, dismissals and appeals.</p>