



Walsall Council

Personnel Committee

Monday, 13 June 2022 at 6.00 pm

At the Council House, Walsall

Public access to meeting via:

<https://aisapps.sonicfoundry.com/AuditelScheduler/CreateSchedules/Past/41>

Membership:

Councillor M. Bird (Chair)
Councillor A. Andrew (Vice-Chair)
Councillor Elson,
Councillor Garcha
Councillor Gultasib
Councillor K. Hussain
Councillor Nawaz
Councillor Towe
Councillor Whitehouse

Quorum:

Three Members

A g e n d a

Part 1 – Public Session

1. Apologies.
2. Declarations of Interest.
3. Local Government (Access to Information) Act 1985 (as amended):

To agree that, where applicable, the public be excluded from the private session during consideration of the agenda items indicated for the reasons shown on the agenda.
4. Establishment of Personnel Sub-Committees – Copy **enclosed**

The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012

Specified pecuniary interests

The pecuniary interests which are specified for the purposes of Chapter 7 of Part 1 of the Localism Act 2011 are the interests specified in the second column of the following:

Subject	Prescribed description
Employment, office, trade, profession or vocation	Any employment, office, trade, profession or vocation carried on for profit or gain.
Sponsorship	<p>Any payment or provision of any other financial benefit (other than from the relevant authority) made or provided within the relevant period in respect of any expenses incurred by a member in carrying out duties as a member, or towards the election expenses of a member.</p> <p>This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Regulations (Consolidation) Act 1992.</p>
Contracts	<p>Any contract which is made between the relevant person (or a body in which the relevant person has a beneficial interest) and the relevant authority:</p> <p>(a) under which goods or services are to be provided or works are to be executed; and</p> <p>(b) which has not been fully discharged.</p>
Land	Any beneficial interest in land which is within the area of the relevant authority.
Licences	Any licence (alone or jointly with others) to occupy land in the area of the relevant authority for a month or longer.
Corporate tenancies	<p>Any tenancy where (to a member's knowledge):</p> <p>(a) the landlord is the relevant authority;</p> <p>(b) the tenant is a body in which the relevant person has a beneficial interest.</p>
Securities	<p>Any beneficial interest in securities of a body where:</p> <p>(a) that body (to a member's knowledge) has a place of business or land in the area of the relevant authority; and</p> <p>(b) either:</p> <p>(i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or</p> <p>(ii) if the share capital of that body is more than one class, the total nominal value of the shares of any one class in which the relevant person has a beneficial interest exceeds one hundredth of the total issued share capital of that class.</p>

Schedule 12A to the Local Government Act, 1972 (as amended)

Access to information: Exempt information

Part 1

Descriptions of exempt information: England

1. Information relating to any individual.
2. Information which is likely to reveal the identity of an individual.
3. Information relating to the financial or business affairs of any particular person (including the authority holding that information).
4. Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office holders under, the authority.
5. Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.
6. Information which reveals that the authority proposes:
 - (a) to give any enactment a notice under or by virtue of which requirements are imposed on a person; or
 - (b) to make an order or direction under any enactment.
7. Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime.
8. Information being disclosed during a meeting of a Scrutiny and Performance Panel when considering flood risk management functions which:
 - (a) Constitutes a trades secret;
 - (b) Its disclosure would, or would be likely to, prejudice the commercial interests of any person (including the risk management authority);
 - (c) It was obtained by a risk management authority from any other person and its disclosure to the public by the risk management authority would constitute a breach of confidence actionable by that other person.

Personnel Committee – 13 June 2022

Establishment of Personnel Sub-Committees

1.0 Report Detail

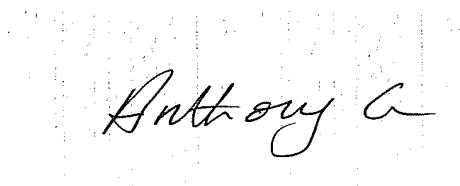
- 1.1 At its adjourned meeting on 25 May 2022, the Council re-established the Personnel Committee which holds the delegated responsibility, within the Constitution, for establishing two Sub-Committees to undertake Employment Appeals on behalf of the Council.
- 1.2 Accordingly, this report recommends the establishment of two Employment Appeals Sub-Committees 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.

2.0 Recommendations

- 2.1 That approval be given to the establishment of two 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'
- 2.2 That the Membership of each Sub-Committee be approved (*information to be tabled at the meeting*).
- 2.3 That Employment Appeals Sub-Committee 'A' meets on a Tuesday and Sub Committee 'B' meets on Thursday both at 10.30 a.m. on dates set out in the Council's timetable of meetings, and that meetings be cancelled when they are not required.

Background papers – Report to Adjourned Council – 25 May 2022.

Signed:



Anthony Cox, Director of Governance.

Contact:

Neil Picken

Principle Democratic Services Officer

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Personnel Sub-Committees – Employment Appeals Committees

1. **Sub-Committees:** There shall be two Sub-Committees:
 - Employment Appeals Sub-Committee 'A'
 - Employment Appeals Sub-Committee 'B'
2. **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.
3. **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.
4. **Chairman and Vice-Chairman:** The Chairman and Vice-Chairman for each Sub-Committee will be appointed by the Personnel Committee.
5. **Quorum:** The quorum for each Sub-Committee shall be one third of the membership, subject to a minimum of three.
6. **Meetings:** Sub-Committee 'A' shall meet on Tuesdays at 10.30am and Sub-Committee 'B' shall meet on Thursdays at 10.30am.
7. **Access to Information:** The Sub-Committees shall comply with Access to Information Rules set out in Part 4 of the Constitution.
8. **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.
9. **Delegations:** The Sub-Committees will hold the following delegated powers, as conferred upon them by the Personnel Committee as set out below.

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.

The Personnel Committee 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.