

9. PERSONNEL COMMITTEE

Membership

7 Members of the authority as determined by the Council.

Substitutes

Substitute members may be nominated to the Committee in accordance with paragraph 4 of the Council procedure rules (Part 4), subject to them having undertaken the relevant training as detailed below.

Chairman and Vice-Chairman

The Chairman and Vice-Chairman will be appointed at the Annual Council meeting for the municipal year.

Quorum

The quorum of the Committee shall be one third of the membership, subject to a minimum of two.

Meetings

The Committee will meet six weekly, or thereabouts and meetings are usually held at the Council House, Walsall at 6.00 p.m.

Access to information

The Committee will comply with the Access to Information Rules set out in Part 4 of the Constitution.

Training

All members of the Personnel Committee shall be required to attend a training session on employment law (in relation to both appointing and dismissing), the Council's internal procedure and remit relating to dismissals prior to sitting on the Committee for the first time and subsequently to attend refresher training annually thereafter.

Delegations

- (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.
- (2) To determine t~~The~~ appointment ~~and dismissal~~ of Chief Officers/Deputy Chief Officers as

defined within Article 10 of the Constitution and within the Local Authorities (Standing Orders) (England) Regulations 2001, ~~and following~~ the provisions thereof, particularly in relation to the well founded objection procedure, in accordance with the Employment Procedure Rules.

(Note: The appointment and dismissal of the Director of Public Health will be subject to consultation with Public Health England.)

- (3) To consider and determine appeals against dismissal submitted by employees at all levels 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 (save for appeals in respect of decisions taken by the Personnel Committee, or in circumstances where the Personnel Committee reasonably believes that it is not appropriate for it to deal with any appeal due to a conflict of interests, in which case, responsibility for hearing such appeal shall be heard by a committee constituted for the purposes of hearing that appeal or an existing appeal committee as appropriate.
- (4) To approve the remuneration levels (other than those associated with the National Pay Awards) for the Chief Executive, Executive Directors and Assistant Directors.
- (5) To act as the Committee which considers and determines matters relating to the conduct, ~~and~~ capability and/or dismissal of Chief Officers/Deputy Chief Officers as defined in (2) above in accordance with the provisions of the Local Authorities (Standing Orders) (England) Regulations 2001, save for relevant officers (as defined in Schedule 3 of the Local Authorities (Standing Orders) (England) Regulations 2001, as amended) which are dealt with below.
- (6) To act as the Committee which considers and determines matters relating to the conduct, capability and/or dismissal of relevant officers (as defined in Schedule 3 of the Local Authorities (Standing Orders) (England) Regulations 2001, as amended). However, in circumstances where dismissal is being considered, the Committee shall include two independent persons and no decision to dismiss shall be taken by the Committee until any dismissal is approved by Council (please see the Officer Employment Procedure Rules for further details).
- (7) To act as the Committee which considers and determines any grievances where the Chief Executive reasonably determines that it is not appropriate for an officer to consider and determine such grievance. Where the Personnel Committee reasonably believes that it is not appropriate for it to deal with any appeal due to a conflict of interests, responsibility for hearing such appeal shall be heard by a committee constituted for the purposes of hearing that appeal or an existing appeal committee as appropriate.

(8) To act as the Committee which considers and determines any suspensions where the Chief Executive reasonably determines that it is not appropriate for the Chief Executive to deal with such issues. In circumstances, where the Personnel Committee reasonably believes that it is not appropriate for it to deal with any appeal due to a conflict of interests, responsibility for considering and determining suspension shall be heard by a committee constituted for the purposes of hearing that appeal or an existing appeal committee as appropriate.

(10) To approve procedures for appointment and dismissal of staff.

(117) To recommend Council on the designation of the Monitoring Officer and the Chief Finance Officer.

(128) To consider policies for approval by the Council on the exercise of its functions under the Local Government Pension Scheme and the Teachers' Pensions Scheme.

(139) To consider and ~~policies~~ approve policies, procedures and schemes relating to employment matters including pay and grading structure and changes to employee terms and conditions of employment.

(149) To determine remuneration and severance packages for employees in excess of £100,000.

(154) To appoint Sub-Committees to deal with appointments and appeals.