

Creation of an Appointment Sub-Committee

Council	23 February 2023
Report Author	Sameera Khan, Interim Head of Legal and Monitoring Officer
Portfolio Holder	Cllr Ash Ashbee, Leader of the Council
Status	For Decision
Classification:	Unrestricted
Key Decision	No

Executive Summary:

This report considers a recommendation from the General Purposes Committee regarding the creation of an Appointments Sub-Committee for the appointment of senior officers of the Council. It asks the Council to agree to such a Sub-Committee and further asks it to agree the terms of reference for the Sub-committee.

Recommendation(s):

Council is requested to:

1. To appoint an Appointment Sub-Committee and approve its terms of reference as set out in Annexe A to this report.

Corporate Implications

Financial and Value for Money

There are no direct financial implications arising from the recommendations contained within this report.

Legal

Establishing an Appointments Sub-Committee as described above will allow the recruitment and appointment of Senior Officers of the Council, including Head of Paid Services, S151 and Monitoring Officer in accordance with the Council's Constitution and The Local Authorities (Standing Orders) (England) Regulations 2001.

Corporate

Adoption of these processes gives clarity to all parties regarding the recruitment process of senior officers of the Council. Having a clear policy and appropriate procedures also provides protection to senior officers of the Council.

Equality Act 2010 & Public Sector Equality Duty

This report relates to the following aim of the equality duty: -

- To eliminate unlawful discrimination, harassment, victimisation and other conduct prohibited by the Act.
- To advance equality of opportunity between people who share a protected characteristic and people who do not share it
- To foster good relations between people who share a protected characteristic and people who do not share it.

Appointment of these committees promotes and protects equality among senior and other officers by putting in place clear procedures regarding the appointment of senior officers.

1.0 Introduction and Background

1.1 At its meeting on 24 January the General Purposes Committee considered a report from the Chief Executive regarding the senior management structure of the Council. At that meeting the General Purposes Committee (GPC) made the following recommendation:

“8. To recommend to Council the creation of a politically balanced Appointment Sub Committee of the General Purposes Committee as soon as possible with terms of reference to oversee the process of recruitment to the posts of Chief Executive and Directors, including the final decision on successful candidates; and to take on the responsibility of hearing Grievances at this level;”

1.2 This report allows Full Council to consider the request of the GPC and to create an appointments panel if it chooses.

2.0 The Current Situation

2.1 The minutes of the GPC meeting of the 24 January will be subject to correction when they are agreed at the next meeting of the Committee. The corrected minutes will be as follows:

To recommend to Council the creation of a politically balanced Appointment Sub Committee ~~of the General Purposes Committee~~ as soon as possible with terms of reference to oversee the process of recruitment to the posts of Chief Executive and Directors, including the final decision on successful candidates *where applicable*. ~~and to take on the responsibility of hearing Grievances at this level~~

2.2 These corrections are being made for the following reasons; as the Appointments Panel needs to be a Sub-Committee of Council in order to undertake the functions that are outlined in the recommendation; Full Council by law must make the appointment of the Statutory Officers posts (head of paid service, S.151 officer and monitoring officer - as outlined in the Council's Officer Procedure Rules); The Council already has a grievance panel for Senior Officers which was created by Full Council on 14 October 2021.

- 2.3 Officers have created a draft set of terms of reference for the Appointments Sub-Committee, taking into consideration the recommendation from GPC and the corrections referenced above. The terms of reference are attached at Annex 1 to this report.
- 2.4 If the Appointments Sub-Committee is created, then nominations to sit on the Sub-Committee will need to either be made under the Committees, Panels and Boards item elsewhere on this agenda or subsequent to the meeting.

Contact Officer: Sameera Khan, Interim Head of Legal and Monitoring Officer

Reporting to: Colin Carmichael, Interim Chief Executive

Annex

Annex 1 - Terms of Reference for Appointments Sub-Committee

Corporate Consultation

Finance: Chris Blundell (Acting Deputy Chief Executive)

Legal: Sameera Khan (Interim Head of Legal & Monitoring Officer)