

Subject: Employment Committee

Report to: Council – 22 December 2016

Report by: David Johnson - nplaw

SUBJECT MATTER/RECOMMENDATIONS

- 1. To approve the Terms of Reference for the Council's Employment Committee.**
- 2. That the political balance rule be waived.**
- 3. The Group Leaders of each political group are appointed to the Employment Committee with Deputies to act as substitutes.**
- 4. Should recommendations 2 & 3 not be approved, political balance rules should apply with a Committee membership of 5.**

1. BACKGROUND

The Council has not previously had an Employment Committee but there are from time to time matters that require members' input into employment related matters. This will be at a high level. The Head of Paid Service and the Directors will deal with routine HR / employment issues.

The May 2016 Constitution makes reference to an Employment Committee but has no terms of reference for such, and no appointments were made at the May Council. Therefore this needs to be properly established with Terms of Reference and appointments. Suggested terms of reference are set out below.

In any event, it is proposed that the Leader of the Council should be a member having regard to some of the functions the committee may have to discharge. The Members appointments will last until the 2017 Annual General Meeting.

In respect of appointments the Constitution requires a political balance, however Council may consider it more appropriate for such a Committee to include all Group Leaders for cross party representation. This would require a unanimous decision by Council.

2. EMPLOYMENT COMMITTEE TERMS OF REFERENCE

EMPLOYMENT COMMITTEE

COMPOSITION:

To be determined by Council.

TERMS OF REFERENCE OF EMPLOYMENT COMMITTEE:

1. Except to the extent delegated to Chief Officers in accordance with the Officer Employment Procedure Rules set out in Part 41 of the Constitution, to determine the terms and conditions on which staff hold office (including procedures for their dismissal).
2. To be responsible for the appointment of the Head of Paid Service, statutory and non-statutory Chief Officers and Deputy Chief Officers (all as defined in the Local Government and Housing Act 1989). This power includes the establishment of ad hoc Appointment Panels to carry out this function.
3. To be responsible for taking disciplinary action in respect of the Head of Paid Service, in accordance with the procedures required by the Officer Employment Procedure Rules.
4. To designate an officer as Head of Paid Service (subject to approval by the full Council) and to provide staff etc. for that officer.
5. To designate an officer as the Monitoring Officer and to provide staff etc. for that officer.

6. To make arrangements for the proper administration of the Council's financial affairs including the appointment of the Chief Finance Officer.
7. To designate the Council's "Proper Officers".
8. Consider appeals against disciplinary decisions, unresolved grievances and grading appeals from employees (where specified in the relevant policy).
9. Monitor compliance with public sector equality duties and gender reporting duties"

NOTE: The procedures for taking disciplinary action in respect of Chief Officers, Deputy Chief Officers, the Chief Finance Officer and Monitoring Officer are set out in the Officer Employment Procedure Rules.

3. FINANCIAL IMPLICATIONS

N/A

4. RISK IMPLICATIONS

N/A

5. RECOMMENDATIONS

1. To approve the Terms of Reference for the Council's Employment Committee
2. The Group Leaders of each political group are appointed to the Employment Committee with Deputies to act as substitutes.
3. Should recommendations 2 & 3 not be approved, political balance rules should apply with a Committee membership of 5.
4. That the political balance rule be waived.

6. BACKGROUND PAPERS

Great Yarmouth Borough Council's Constitution

Areas of consideration: e.g. does this report raise any of the following issues and if so how have these been considered/mitigated against?

Area for consideration	Comment
Monitoring Officer Consultation:	Yes
Section 151 Officer Consultation:	
Existing Council Policies:	Constitution
Financial Implications:	
Legal Implications (including human rights):	
Risk Implications:	
Equality Issues/EQIA assessment:	
Crime & Disorder:	
Every Child Matters:	