

APPENDIX

CHIEF OFFICER APPOINTMENTS PANEL MINUTE 5

(6 June 2015)



Linda Torney, Assistant Head of Legal Services submitted a report on the proposed changes to Standing orders in respect of Employment of the Chief Executive, Section 151 Officer and Monitoring, which highlighted the following main points –

- (a) the recent Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015 required local authorities to amend their Standing Orders to incorporate new arrangements for disciplinary action against the Chief Executive, Section 151 Officer and Monitoring Officer;
- (b) the regulations state that Council was required to change its Standing Orders to reflect the new requirements at the first Full Council meeting following the Annual General Meeting (22 June 2015);
- (c) the new arrangements will result in any final decision to dismiss the Chief Executive, Section 151 Officer and Monitoring Officer must be taken by full Council, unless the reasons for the dismissal was as a result of permanent ill health, redundancy or a failure to renew a fixed term contract. Before taking that decision, Council must invite at least two Independent Persons to be members of a Panel to consider the matter and Council must take into account any recommendation of that Panel before taking a final decision to appoint or to dismiss;
- (d) a meeting of the Constitutional Review Group was scheduled for Monday 8 June 2015 at which the same report would be submitted for review

The panel agreed –

- (1) to recommend that Council amends the Employment Standing Orders in the Constitution to comply with the requirement of the new regulations as shown in appendix I of the report;
- (2) to recommend that Council delegates the function of dealing with any disciplinary matters concerning the Chief Executive or Section 151 Officer or Monitoring Officer to the Chief Officer Disciplinary Panel and where considered appropriate, to make a recommendation for dismissal to Council;
- (3) to recommend that Council designates the people who carry out the role of Independent Persons for the Standards Regime, as suitable to act as Independent Persons for this purpose, subject to their agreement and instructs the Monitoring Officer to put suitable arrangements in place;

- (4) that the Assistant Director for Human Resources and Organisational Development takes the necessary action to agree variations to the contracts of employment of the affected staff;
- (5) that a more comprehensive explanation is provided in the report to Full Council on 22 June 2015, regarding the proportionality rules relating to the two Independent Persons.