

Cherwell District Council

Council

3 September 2018

<p>Constitutional Amendments: Amendments to Personnel Related Committees</p>

Report of Assistant Director: Law and Governance

This report is public

Purpose of report

To amend the terms of reference of the Personnel Committee, Appeals Panel and to re-establish a CDC Council and Employee Joint Committee.

1.0 Recommendations

Council is recommended:

- 1.1 To agree to adopt the amended terms of reference for the Personnel Committee as set out at Appendix 1.
- 1.2 To agree to adopt the amended terms of reference for the Appeals Panel as set out at Appendix 2.
- 1.3 To agree to re-establish the Council and Employee Joint Committee with the terms of reference as set out at Appendix 3 be adopted.
- 1.4 To authorise the Monitoring Officer to make any consequential amendments to the constitution arising from these recommendations
- 1.5 To note the current membership of the Personnel Committee, and Appeals Panel and agree any amendments to membership as proposed by group leaders.
- 1.6 To note the current membership of the Council and Employee Joint Committee and agree any amendments to membership as proposed by group leaders and that the leaders of the Conservative and Independent Groups be asked to nominate additional representatives to the Council and Employee Joint Committee.

2.0 Introduction

- 2.1 At the July council meetings Cherwell District Council and South Northamptonshire Council agreed by mutual consent and with reluctance to end their successful joint

working arrangements in light of the likely local government reorganisation in Northamptonshire. As a result of these decisions it is necessary to remove the joint working governance and revert to Cherwell committees. This report amends the terms of reference for the Personnel Committee, Appeals Panel and re-establishes the Council and Employee Joint Committee.

3.0 Report Details

Personnel Committee

- 3.1 Since 2012 the Personnel Committee has become virtually dormant as services became shared and responsibility for personnel matters transferred to the Joint Commissioning Committee. Consequently the terms of reference for this committee have not been updated for some time. Set out at Appendix 1, they have been updated to reflect the way the council operates and in light of policy changes such as the statutory officer disciplinary policy. With the separation of the councils this committee will be required to make decisions on personnel matters that are not delegated to officers including the appointment to Chief Officer positions for Cherwell, which are not shared with Oxfordshire County Council.

Appeals Panel

- 3.2 Whilst the Appeals Panel does not meet regularly it is still the final appeal body for many of the council's personnel policies. The terms of reference (Appendix 2) have been updated to include the functions regarding chief and statutory officers previously carried out by the Joint Appeals Committee.

Council and Employee Joint Committee

- 3.3 This committee is part of the council's governance arrangements for formally consulting employees and the trade unions. It was disbanded and replaced by the Joint Council and Employee Engagement Committee. With the separation of the councils it is necessary for each council to have its own committee to consult employees and trade unions and it is therefore proposed to re-establish the Council and Employee Joint Committee with the terms of reference as set out at Appendix 3. It should be noted that on the employee side the representatives are comprised of members of the Employee Forum and trade union representatives.

Current Committee Membership

- 3.4 The current membership of the committees is set out below. Group Leaders have been asked to review and confirm the representation from their group and the Conservative and Independent Group are both asked to nominate an additional councillor to the Council and Employee Joint Committee (as per the membership in the terms of reference), which is currently based on the members appointed to the Joint Council Employee Engagement Committee at the Annual Council meeting in May.

Personnel Committee (Proportional Committee 9 Con 2 Lab, 1 Ind)	Appeals Panel (Proportional Committee 7 Con, 2 Lab, 1 Ind)	Council and Employee Joint Committee (Non-proportional Committee 3 Con, 1 Lab, 1 Ind)
Councillor Jason Slaymaker (Chairman) Councillor Dan Sames (Vice- Chairman) Councillor Claire Bell Councillor Mike Bishop Councillor Cassi Perry Councillor Lynn Pratt Councillor George Reynolds Councillor Sandra Rhodes Councillor Alaric Rose Councillor Douglas Webb Councillor Bryn Williams Councillor Barry Wood	Councillor Timothy Hallchurch (Chairman) Councillor Tom Wallis (Vice- Chairman) Councillor David Anderson Councillor Andrew Beere Councillor Maurice Billington Councillor John Broad Councillor Carmen Griffiths Councillor Simon Holland Councillor Richard Mould Councillor Barry Richards	Councillor Nicholas Turner Councillor Barry Wood <i>Conservative Vacancy</i> Councillor Barry Richards <i>Independent Vacancy</i>

4.0 Conclusion and Reasons for Recommendations

- 4.1 It is imperative that the council has robust and effective governance in place to ensure that it can properly discharge its duties as an employer but also to ensure that it is able to appoint officers to enable the council to operate effectively. It is believed the recommendations in this report will provide effective arrangements to enable the council to carry out these functions following the separation from South Northamptonshire Council.

5.0 Consultation

None

6.0 Alternative Options and Reasons for Rejection

- 6.1 The following alternative options have been identified and rejected for the reasons as set out below.

Option 1: To agree the recommendations – this is the preferred option

Option 2: To not agree the recommendations - rejected as the recommendations are believed by officers to be in the best interest of the Council.

Option 3: To amend the recommendations- rejected as the recommendations are believed by officers to be in the best interest of the Council.

7.0 Implications

Financial and Resource Implications

7.1 There are no financial implications arising from this report.

Comments checked by:

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Legal Implications

7.2 The proposals contained within this report will ensure that Cherwell District Council has robust governance in place to all the management of its Personnel responsibilities.

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Risk Implications

7.3 The proposals in this report mitigate risk to the authority from ensuring that effective and appropriate governance is in place

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8.0 Decision Information

Wards Affected

All

Links to Corporate Plan and Policy Framework

None directly

Lead Councillor

Councillor Tony Illott, Lead Member for Financial Management and Governance

Document Information

Appendix No	Title
Appendix 1	Personnel Committee Terms of Reference
Appendix 2	Appeals Panel Terms of Reference
Appendix 3	Council and Employee Joint Committee Terms of Reference

Background Papers	
None	
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