

Cherwell District Council

Council

3 September 2018

<p>Establishment of Joint Committees with Oxfordshire County Council</p>

Report of Assistant Director Law and Governance

This report is public

Purpose of report

To establish a Joint Personnel Committee and Joint Appeals Committee with Oxfordshire County Council.

1.0 Recommendations

Council is recommended:

- 1.1 Subject to Oxfordshire County Council resolving similarly, to adopt the terms of reference for the Joint Personnel Committee as set out at Appendix 1.
- 1.2 Subject to Oxfordshire County Council resolving similarly, to adopt the terms of reference for the Joint Appeals Committee as set out at Appendix 2.
- 1.3 To appoint to the Joint Personnel Committee and Joint Appeals Committee as set out in Table 1.

2.0 Introduction

- 2.1 At their respective July Council meetings Cherwell District Council (CDC) and Oxfordshire County Council (OCC) agreed to enter into a Section 113 agreement to enable the sharing of a Chief Executive with a view to creating other shared officer posts and shared services.
- 2.2 As part of this decision, it was also agreed that two non-executive committees between CDC and OCC be established (a Joint Personnel Committee and a Joint Appeals Committee) with the Assistant Director: Law and Governance (CDC), in consultation with the Director Law and Governance (OCC), requested to develop terms of reference for adoption by the Councils enabling the implementation of staffing related matters as business cases are agreed for each element of joint

working. This report presents terms of reference for these committees for agreement.

- 2.3 An informal Partnership Working Group, the creation of which was agreed by Executive at their July meeting, has been established between the two council to oversee the development and delivery of the joint working programme,.

3.0 Report Details

Joint Personnel Committee

- 3.1 Whilst it is envisaged that the majority of daily business and processes such as recruitment, personnel and appeals will be carried out under each employing authority’s decision making processes, there are a few functions which are best delivered through joint arrangements. The Joint Personnel Committee will deal with matters involving shared staff, devolved Executive decisions, shared posts, shared management arrangements and shared statutory officer discipline.

Joint Appeals Panel

- 3.2 Although it is unlikely that the Joint Appeals Panel will be required to meet, it is required to have one in order to deal with certain specific circumstances. These are appeals by or grievance appeals against the Chief Executive made by any member of the senior management team of either council; to hear and determine any appeals brought by the Chief Executive and, if shared, Monitoring Officer and Section 151 Officer against any disciplinary sanctions imposed short of dismissal and to hear and determine any appeals against any disciplinary sanctions imposed on a Chief Officer who is shared between Cherwell District Council and Oxfordshire County Council excluding the statutory officers referred to above.

Committee Membership

- 3.3 It is proposed that the Joint Personnel Committee has 10 members, 5 from each council and should not consist of members solely from the Executive and Cabinet.
- 3.4 It is proposed the Joint Appeals Committee has 6 members, 3 from each council, who should not be members of the Joint Personnel Committee.

Table: Proportionality of Joint Committees

Joint Personnel Committee Proportional 5 CDC Members	Joint Appeals Panel Proportional 3 CDC Members
4 Conservative 1 Labour	2 Conservative 1 Labour
Named substitutes 4 Conservative 1 Labour	Named substitutes 2 Conservative 1 Labour

4.0 Conclusion and Reasons for Recommendations

- 4.1 It is imperative that the councils have robust and effective governance in place to ensure that it can properly discharge its duties as an employer but also to ensure that they are able to appoint shared officers to enable the councils to operate effectively. It is believed the recommendations in this report will provide effective arrangements to enable the council to carry out these functions jointly with Oxfordshire County 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 directly from this report.

Comments checked by:

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Legal Implications

- 7.2 This report has been prepared by the Monitoring Officer and proposes measures to ensure good governance within the legislative framework.

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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 Ilott, Lead Member for Financial Management and Governance

Document Information

Appendix No	Title
Appendix 1	Joint Personnel Committee Terms of Reference
Appendix 2	Joint Appeals Panel Terms of Reference
Background Papers	
None	
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