

## **Cherwell District Council and South Northamptonshire Council Joint Personnel Committee — Terms of Reference**

### **Joint Committees; legal framework**

Under Local Government Act 1972 s.101 (5) two or more local authorities may appoint a joint committee to discharge any of their functions that are not reserved for the sole decision of a single authority in legislation. The Joint Committee can authorise an officer employed by either authority to act on its behalf. 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.

It is therefore proposed that a joint committee be established to interview all Chief Executive, Strategic Director and Head of Service applicants, recommend the appointment of the Head of Paid Service to both councils for approval (a legal requirement) and appoint Strategic Directors and Heads of Service. The Committee would also have the power to suspend a statutory officer in the event of a misconduct allegation needing to be investigated, appoint the necessary independent person and appoint a sub committee for the Chief Executive's and Directors appraisal.

Additionally, although it is highly unlikely to be used, it is recommended that a Joint Appeals Committee be established to hear and determine any appeals by, or grievance appeals against, the Head of Paid Service (Chief Executive) and be the investigating committee for the purpose of disciplinary action in the case of an officer covered by the terms and conditions for Chief Executives and Chief Officers.

### **Joint Personnel Committee – Cherwell District Council and South Northamptonshire Council**

**Area:** The Joint Committee shall exercise its authority for the areas comprising of Cherwell District Council and South Northamptonshire Council

**Membership:** The committee shall be comprised of 10 councillors, 5 from Cherwell District Council and 5 from South Northamptonshire Council with 3 named substitutes from each authority. All councillors including substitutes will receive appropriate training before they can participate as a Committee member.

**Quorum:** will be 3 Members from each authority.

**Chairman:** the Chairman and Vice Chairman will be elected by the committee and will be representative of each authority.

**Decision making:** decision will be by a majority of Members of the committee present and voting.

## Terms of Reference

- To act as the interviewing panel for the Head of Paid Service (Chief Executive), making recommendations to both councils for formal appointment.
- To act as the interviewing panel and appoint Strategic Directors and Heads of Service (NB. Anyone involved in the decision for a particular post must be present throughout the entire interview process).
- To appoint the designated independent person where a complaint of misconduct requires it to be investigated against the Head of Paid Service, Monitoring Officer or Section 151 Officer<sup>1</sup>.
- To agree dismissal, including compulsory or voluntary redundancy and the exercise of discretionary awards for Chief Officers and any other posts where costs are going to be shared.
- To appoint an Appraisal Subcommittee comprised of 6 councillors, 3 from Cherwell District Council and 3 from South Northamptonshire Council who will be responsible for carrying out the appraisal of the Head of Paid Service (Chief Executive). The Leaders of both councils will not be part of the subcommittee but must be invited to participate.

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<sup>1</sup> Local Authorities (Standing Orders) Regulations 1993, as amended by Local Authorities (Standing Orders) (England) Regulations 2003