

## **Chief Officers Appointment Panel**

### **Terms of Reference**

#### **Panel A – For the appointment of the Council’s Chief Executive**

##### **Membership (15)**

- All Members of the Executive (Cabinet)
- Leader of the Opposition
- 6 other Opposition members

**Quorum: 8**

#### **Panel B - For appointment of LBHF Statutory and non-statutory Chief Officers\***

##### **Membership (5)**

- The Leader (Chair) or a substitute
- Deputy Leader (Vice-Chair) or a substitute
- The Cabinet Member of the relevant appointment area (where there is an overlap between two Cabinet portfolios, both Cabinet Members should attend)
- Leader of the Opposition or a named substitute
- An Opposition Member (or two Opposition Members where there are two Cabinet Members required to attend due to an overlap in portfolios).

**Quorum: 3**

#### **Panel C - For the appointment of Chief Officers or Directors with responsibility for shared services covering more than one Council (3):**

##### **Membership (3)**

An LBHF Appointments Panel, meeting concurrently with the Panel(s) for the other Council(s), will comprise 3 members including the relevant Cabinet Member. The remaining membership will be split in the ratio of administration to opposition members. A Chief Officer or Director will be appointed under these arrangements only if each Council’s Appointment Panel so agrees.

**Quorum: 2**

### **Other Appointments**

Appointments to all other roles, other than those statutory and non-statutory Chief Officers who report directly to the Chief Executive, is the responsibility of the Council’s Head of Paid Service.

## **Decision-making powers (PANELS A – C)**

- To carry out interviews and recommend to Full Council the appointment to the position of Chief Executive.
- To carry out interviews and recommend to Full Council the designation of a Chief Officer as Head of Paid Service where this is not the Chief Executive (or an interim position arises).
- To carry out interviews and appoint to the position of statutory and non-statutory Chief Officers\*.
- To recommend to the Chief Coroner the appointment to the role of Area Coroner or Senior Coroner.
- Interim appointments do not require an Appointments Panel.

## **Roles for Appointment**

The roles covered by the Chief Officers **Appointment** Panel are:

- (i) Head of Paid Service (Chief Executive)
- (ii) Section 151 Officer (Strategic Director of Finance)
- (iii) Director of Children's Services
- (iv) Director of Adult Social Care
- (v) Commercial Director
- (vi) Director of Delivery and Value
- (vii) Director of Human Resources and Organisational Development
- (viii) Lead Director for Shared Environmental Services
- (ix) Director for Regeneration, Planning, and Housing
- (x) Director of Public Service Reform

Roles where the Council is the Lead Authority for Public Appointments but not the employer

- (xi) Senior Coroner
- (xii) Area Coroner

\*(Any statutory and non-statutory Chief Officer post as defined in Section 2 of the Local Housing Act 1989 and which reports directly to the Chief Executive)

## **Convening**

The Chief Officers Appointment Panel is convened by the Director of HR & OD in consultation with Head of Paid Service (Chief Executive), the Leader of the Council and the Cabinet Member covering the area of appointment.

## **PANEL D - Chief Officers Employment Panel**

### **Terms of Reference**

#### **Membership - 5**

The Chief Officers' Employment Panel is comprised of:

- Leader of the Council or Deputy Leader of the Council
- Cabinet Member for Finance
- One other Cabinet Member (Where the matter concerns the Disciplinary or Grievance Policy, the Cabinet Member for the area(s) involved may not sit on the Panel).
- Two Opposition Members
- Independent co-optees (voting) as required by Regulations for investigation, disciplinary and dismissal of the Chief Executive, Head of Paid Service, Section 151 Officer and the Monitoring Officer.

Quorum 3 Councillors (plus 2 independent co-optees where required)

#### **Decision-making powers**

To consider all matters related to the terms and conditions, and policies of employment, covering Chief Officers of the Council.

To consider disciplinary matters of statutory and non-statutory Chief Officers as defined in Section 2 of the Local Government and Housing Act 1989 and reports directly to the Chief Executive, subject to the requirements of those set out in the NJC for Chief Executives and NJC for Chief Officers and national procedures in place at the time.

To consider the suspension, investigation, disciplinary and/or grievance matters for the Head of Paid Service. To consider the suspension, investigation and/or disciplinary matters against the Section 151 Officer and Monitoring Officer  
To make recommendations to Full Council by means of a resolution for the dismissal of the Head of Paid Service, Section 151 Officer and/or Monitoring Officer as required by The Local Authorities (Standing Orders) (England) Regulations 2015 ("2015 Regulations")

For the purposes of the 2015 Regulations, this Panel will act as the Grievance Committee and Investigating and Disciplinary Committee.

#### **Roles Covered by this Panel for terms and conditions of employment\***

- (i) Head of Paid Service (Chief Executive)
- (ii) Section 151 Officer (Strategic Director of Finance)
- (iii) Director of Children's Services
- (iv) Director of Adult Social Care
- (v) Commercial Director
- (vi) Director of Delivery and Value
- (vii) Director for Human Resources and Organisational Development

- (viii) Lead Director of Shared Environmental Services (where LBHF is the employing authority)
- (ix) Director of Regeneration, Planning, and Housing
- (x) Director of Public Service Reform

Roles covered by the panel for suspension, investigation, disciplinary and grievance

- (i) Head of Paid Service (Chief Executive)

Roles covered by the panel for suspension, investigation and disciplinary

- (i) Section 151 Officer (Strategic Director of Finance)
- (ii) Monitoring Officer

Roles covered by the panel for investigation and disciplinary

- (i) Director of Children's Services
- (ii) Director of Adult Social Care
- (iii) Commercial Director
- (iv) Director of Delivery and Value
- (v) Director for Human Resources and Organisational Development
- (vi) Lead Director of Shared Environmental Services (where LBHF is the employing authority)
- (vii) Director of Regeneration, Planning, and Housing
- (viii) Director of Public Service Reform

\*(Any statutory and non-statutory Chief Officer post as defined in Section 2 of the Local Housing Act 1989 and reports directly to the Chief Executive)

### **Convening**

The Panel is convened by the Head of Paid Service or the Director of Human Resources and Organisational Development.

## **Panel E - Chief Officers Employment Appeals Panel - Terms of Reference**

### **Membership – 3**

The Chief Officers' Employment Panel is comprised of:

- Leader of the Council or Deputy Leader of the Council (provided they have not been on any preceding panel or a decision-maker on the matter being appealed) or a nominated substitute
- Cabinet Member (excluding any previously involved on the preceding panel or the Cabinet Member for the individual submitting their appeal)
- One Opposition Member

Quorum: 2 Councillors

### **Decision-making powers**

To consider the appeal of the decision to dismiss by means of redundancy, conduct or capability of any Chief Officer (other than the Head of Paid Service, Section 151 Officer or Monitoring Officer) where the decision has been made by the Chief Officers' Employment Panel or the Head of Paid Service.

To consider the appeal of the decisions to apply a sanction or uphold a decision to record a case of misconduct or capability taken by the Chief Officers' Employment Panel.

The decision to dismiss the Head of Paid Service, Monitoring Officer or Section 151 officer is a matter reserved to Full Council.

### **Roles Covered by this Panel for terms and conditions of employment\***

- (i) Director of Children's Services
- (ii) Director of Adult Social Care
- (iii) Commercial Director
- (iv) Director of Delivery and Value
- (v) Director for Human Resources and Organisational Development
- (vi) Lead Director of Shared Environmental Services (where LBHF is the employing authority)
- (vii) Director of Regeneration, Housing, and Planning
- (viii) Director of Public Service Reform

\*(Any statutory and non-statutory Chief Officer post as defined in Section 2 of the Local Housing Act 1989 and reports directly to the Chief Executive)

### **Convening**

The Panel is convened by the Head of Paid Service or the Director of Human Resources and Organisational Development.

Due to natural justice, the membership of Panels D and E cannot overlap.