

Bolsover District Council

Council

13th November 2019

**Change to the Constitution – Joint Employment and Appeals Committee –
Bolsover only appointments – referral by Standards Committee.**

Report of the Chair of the Standards Committee

This report is public

Purpose of the Report

- To put to Members a mid year change to the Constitution in relation to Member Panels for interviewing and appointing Bolsover only members of SAMT.

1 Report Details

- 1.1 A report was submitted to Standards Committee on **23rd September 2019** in relation to the options for the interview panel for SAMT appointments which are Bolsover only appointments. Members will have seen elsewhere on this agenda that 2 such appointments are being put forward for consideration and ratification of these arrangements.
- 1.2 Standards Committee's recommendation is shown at Appendix 1.

2 Conclusions and Reasons for Recommendation

- 2.1 There is now a need for a Panel to deal with recruitment and selection and disciplinary matters relating to the appointment of SAMT members who work solely for Bolsover District Council. Such posts had not in the immediate past been part of the establishment.
- 2.2 Members of Standards Committee were given options from which to choose an appropriate Panel for the Authority and this is what is recommended for approval.

3 Consultation and Equality Impact

- 3.1 There are no consultation or equality issues in relation to this matter.

4 Alternative Options and Reasons for Rejection

- 4.1 This was the Panel preferred by the Standards Committee. It was a matter of choice for that Committee as to what to recommend and Members particularly wanted to include both main Opposition Leaders.

4.2 The other options are contained within the Standards Committee Minutes Extract at Appendix 1.

5 Implications

5.1 Finance and Risk Implications

5.1.1 There are no financial or risk implications from this report.

5.2 Legal Implications including Data Protection

5.2.1 The Council has to have its arrangements for selecting and disciplining SAMT members within its Constitution so that arrangements are transparent. To reflect changing structures there was a need to make sure a Panel of Bolsover Members existed to interview for Bolsover only posts.

5.2.2 There are no Data Protection implications from this report.

5.3 Human Resources Implications

5.3.1 As in the report

6 Recommendations

6.1 that Members approve the recommendation from Standards Committee.

7 Decision Information

<p>Is the decision a Key Decision? A Key Decision is an executive decision which has a significant impact on two or more District wards or which results in income or expenditure to the Council above the following thresholds: <i>BDC: Revenue - £75,000</i> <input type="checkbox"/> <i>Capital - £150,000</i> <input type="checkbox"/> <i>NEDDC: Revenue - £100,000</i> <input type="checkbox"/> <i>Capital - £250,000</i> <input type="checkbox"/> <input checked="" type="checkbox"/> <i>Please indicate which threshold applies</i></p>	<p>No</p>
<p>Is the decision subject to Call-In? (Only Key Decisions are subject to Call-In)</p>	<p>No</p>
<p>Has the relevant Portfolio Holder been informed</p>	<p>Yes</p>
<p>District Wards Affected</p>	<p>None</p>
<p>Links to Corporate Plan priorities or Policy Framework</p>	<p>All indirectly</p>

8 Document Information

Appendix No	Title
1	Extract from the Draft Minutes of the Standards Committee on 23 rd September
Background Papers (These are unpublished works which have been relied on to a material extent when preparing the report. They must be listed in the section below. If the report is going to Cabinet (NEDDC) or Executive (BDC) you must provide copies of the background papers)	
Report Author	Contact Number
Sarah Sternberg, Monitoring Officer	2414

Report Reference –

RECOMMENDED ITEM FROM STANDARDS COMMITTEE - 23rd September 2019

0319. REVIEW OF THE COUNCIL'S CONSTITUTION (PART 2)

Joint Employment and Appeals Committee (JEAC)

Appendix 4 to the report outlined a request for a general review of the JEAC Terms of Reference, however, Committee made no proposals to amend the Joint Committee's Terms of Reference but suggested that SAMT be consulted and a further report be brought back to Standards Committee with any recommended changes.

The Monitoring Officer set out 3 options for consideration by the Committee regarding changes to the JEAC Terms of Reference in relation to where the Council was undertaking a recruitment for a Head of Service or Director who would solely work for Bolsover and be a member of the Strategic Alliance Management Team.

Committee agreed that the following wording be added to the JEAC Terms of Reference for **Bolsover only** posts;

Where the Authority determines to recruit to a Head of Service or a Director post outside the Strategic Alliance or determines to take any disciplinary action in relation to such a post the Member Panel will be called the Employment and Appeals Committee and will comprise:-

The 4 Members of the JEAC and;

(Option 1):-

Where there are 2 "Leaders of the Opposition" of groups of equal size, both Leaders of the Opposition will be Members of the Employment and Appeals Committee increasing the size of the Committee to 5.

This proposed amendment was to be submitted to the next Council meeting, rather than as part of the full Constitution Review at Annual Council, due to the on-going Senior Management Restructure and recruitment taking place during the year.

Moved by Councillor James Watson and seconded by Councillor Deborah Watson

RESOLVED that Option 1 above be the preferred option of the Standards Committee,

RECOMMENDED that the above wording be added to the JEAC Terms of Reference and that the Standards Committee recommend this to Council in November 2019.

(Monitoring Officer/Governance Manager)