

Article 13 - Employment Committee

The Council will establish an Employment Committee to discharge the functions set out below.

13.1 Membership

- (i) The Employment Committee will be composed of 7 Councillors to be appointed annually at the annual Council meeting.
- (ii) The current membership of the Employment Committee is made up of four conservative Members and one Member from each of the other three opposition groups – the Committee is not politically balanced.
- (iii) Membership of the Committee will from time to time as and when required include the involvement of the relevant appointed independent person as required by Officer Employment Procedure Rules.

13.2 Meetings of the Committee

- (i) The Employment Committee will meet as frequently as it requires to discharge its responsibilities.

13.2 Postponement of meeting

Where exceptional circumstances apply and the Chairman of the Committee, following consultation with the Vice-Chairman of the Committee and the Chief Executive, or any officer so nominated by them, considers that attendance at a convened meeting of the Committee would involve health and safety issues (e.g. pandemic, civil emergency, inclement weather, etc.) the Chairman of that Committee may postpone the meeting. Following postponement, notification must immediately be given to all members of the Council and to the press and notice of the postponement must be posted at the Council Offices and on the Council's website. Where a meeting is postponed, no less than five clear working days' notice (or such other period as required by law) shall be given of the new date for the meeting.

13.3 Chairman and Vice Chairman

- (i) At the Annual Meeting, the Council shall appoint the Chairman and Vice-Chairman of the Employment Committee.
- (ii) If the Chairman or Vice-Chairman resigns by giving written notice of resignation to the Chief Executive, the committee shall, as the first item of business at the next ensuing meeting, elect a successor.
- (iii) The Chairman, if present, shall preside.

- (iv) If the Chairman is absent, the Vice-Chairman shall preside.
- (v) If the Chairman and Vice-Chairman are absent, the Committee shall elect one of the members present as Chairman of the meeting.

13.4 Terms of Reference

13.4.1 Subject to Officer Employment Procedure Rules set out in this Constitution, and in consultation with the relevant independent person where appropriate, the Committee shall meet:

- (i) To oversee the recruitment and selection process of the Council's Head of Paid Service and determine terms and conditions of employment and make recommendations to Council in this respect.
- (ii) To oversee the recruitment and selection process of the Monitoring Officer and Section 151 Officer and make recommendations to Council in this respect.
- (iii) To appoint Strategic Directors, and posts falling within the level of Assistant Director.
- (iv) To consider allegations concerning the conduct or capability of Statutory Officers and other Chief Officers in order to establish whether or not they are sufficiently well-founded and serious in content to justify investigation
- (v) If appropriate, to suspend a Statutory Officer or other Chief Officer under the terms of the JNC Conditions of Service for Chief Executives or the JNC Conditions of Service for Chief Officers
- (vi) To review the appointment of an external investigator to carry out an investigation on behalf of the Committee where necessary.
- (vii) To receive and consider any report of an investigator, and if appropriate hold a capability or disciplinary hearing and following any capability and/or disciplinary hearing, to determine a course of action (up to and including dismissal) within the Council's power under law and within its procedures
- (viii) To dismiss Chief Officers, the Monitoring Officer, Section 151 Officer and posts falling within the definition of Deputy Chief Officer in Section 2(1) of the Local Government & Housing Act 1989
- (ix) To settle all matters relating to the above appointments or dismissals.
- (x) To oversee the recruitment and selection process of the relevant independent person in accordance with the Localism Act 2011 and make recommendations to Council in that respect.

- 13.4.2 The Committee will take decisions affecting the remuneration, terms and conditions of service of the Head of Paid Service.
- 13.4.3. To undertake performance appraisals of the Head of Paid Service and contribute to Corporate Directors annual targets against which performance can be measured.
- 13.4.4 To discharge the Council's functions under Section 112 of the Local Government Act 1972 which have not otherwise been delegated, including advising the Council and Committees on:
- (i) the requirements for, and the availability of, human resources necessary for the fulfilment of the Council's policies;
 - (ii) the promotion of good employee relations in the Council;
 - (iii) matters of general employment and personnel concern to the Council;
 - (iv) the promotion of equal opportunities for all employees of the Council, and in the Council's recruitment and selection procedures, and to monitor the effectiveness of such measures;
 - (v) to consider matters affecting the efficient use of the Council's staff resources and to make recommendations to Cabinet;
 - (vi) to review and recommend adoption of the People and Organisational Development Strategy and Annual Pay Policy prior to going to Council.
- 13.4.5 To keep under review local terms and conditions of employment for employees and make recommendations regarding the annual local pay award.
- 13.4.6 To consider and recommend appropriate actions where necessary in response to proposals relating to a) changes within the structure of the organisation which involves substantial changes in the responsibilities of Chief Officers.
- 13.4.7 To promote and pursue a policy of equal opportunities in employment and "sign-off" key information before it is published i.e. Gender Pay Reporting
- 13.4.8 To consider matters relating to superannuation, pensions and gratuities.