

RESPONSIBILITY FOR COUNCIL FUNCTIONS APPOINTMENTS AND INVESTIGATING COMMITTEE

As far as possible, the functions of the Appointments and Investigating Committee will be carried out by a politically balanced panel of between 3 and 7 Members drawn from the membership of that Committee.

Appointments

Any panel making recommendations relating to the appointment of the Chief Executive (The Head of Paid Service) should consist of seven Members (with a quorum of five), whilst a panel appointing the Deputy Chief Executive should consist of six Members (with a quorum of four). Head of Service appointments should be made by a panel of five (with a quorum of three).

Disciplinary, Capability and Grievance Matters

Any panel making a decision on a disciplinary or capability procedure or under the grievance procedure relating to a Chief Officer shall comprise of 3 Members who will be appointed by the Leader, one of whom shall be a Cabinet Member. In the case of an appeal made by a Statutory Chief Officer (the Head of Paid Service, Monitoring Officer and Chief Finance Officer), a hearing will take place at Full Council, whereas an appeal made by a non-statutory Chief Officer (the Deputy Chief Executive and all Heads of Service) will be heard by the Staff Appeals Board.

Any panel making a decision on a recommendation from an Independent Person under Section 28(7) of The Localism Act 2011 when considering a Code of Conduct Complaint shall comprise of 3 Members.

Membership: A pool of at least 16 Members

Functions of the Appointments and Investigating Committee

- (1) The appointment of the Head of Paid Service, subject
 - (a) to the provisions of Employment Procedure Rule 4(2) (requiring that the Cabinet be given the opportunity to raise an objection) and
 - (b) to the approval of any such appointment by Full Council, before an offer of appointment is given.*

- (2) The appointment of the Deputy Chief Executive and all Heads of Service, subject to the requirements of Employment Procedure

Delegation of Functions

The following function is delegated to the Head of Paid Service or their nominee
To make appointments (except those appointments at Head of Service level or above).

The following function is delegated to the Head of Paid Service or their nominee
Temporary appointment of relief employees where appropriate

Functions of the Appointments and Investigating Committee

Rule 4(2)(requiring that the Cabinet be given the opportunity to raise an objection).

Disciplinary and Capability Matters Relating to Statutory Chief Officers

- (3) The initial decision to instigate an investigation process.
- (4) Decision to determine whether there is a case to answer, decision to instigate a formal investigation and the appointment of an investigator.
- (5) Action in accordance with any disciplinary code or capability procedure approved by the Council in respect of the Head of Paid Service, the Monitoring Officer and the Chief Finance Officer, including dismissal on associated grounds, subject to the requirements of Employment Procedure Rule 7(2) (requiring that the Cabinet be given the opportunity to raise an objection).
- (6) Consideration of a report into any allegation of misconduct, or into capability or some other substantial reason, of the Head of Paid Service, Monitoring Officer and Chief Finance Officer and to the approval of any dismissal by Full Council, before notice of dismissal is given
- (7) To consider any advice, views or recommendations from the Independent Panel.
- (8) Action in accordance with any disciplinary code or capability procedure for the suspension from duty of the Head of Paid Service, Monitoring Officer or Chief Finance Officer.

Delegation of Functions

The following function is delegated to the appropriate Head of Service and/or the Head of Legal, Democracy and HR
Approval of an employee's job title

This function is delegated concurrently with the Leader of the Council.

Functions of the Appointments and Investigating Committee

Disciplinary and Capability Matters Relating to Non Statutory Chief Officers.

- (9) Action in accordance with any disciplinary code or capability procedure approved by the Council in respect of the Deputy Chief Executive and all Heads of Service including dismissal on associated grounds, subject to the requirements of Employment Procedure Rules 7(2) (requiring that the Cabinet be given the opportunity to raise an objection).

Delegation of Functions

The following function is delegated to the Chief Executive, Deputy Chief Executive and the Leader

The initial decision to instigate an investigation process.

The following function is delegated to the Chief Executive, Deputy Chief Executive and the Leader

Decision to determine whether there is a case to answer, decision to instigate a formal investigation and the appointment of an investigator. These delegations do not apply in respect of any actions against the Head of Paid Service, Chief Finance Officer and the Monitoring Officer.

The following function is delegated to the Chief Executive

Action of suspension in accordance with any disciplinary code or capability procedure approved by the Council in respect of Chief Officers excluding the Chief Finance Officer and the Monitoring Officer.

The following function is delegated to the Chief Executive or an officer nominated by them

Action in accordance with any disciplinary code or capability procedure approved by the Council in respect of employees below the level of Head of Service including, as appropriate, the suspension, relegation and dismissal on associated grounds. The Chief Executive has currently nominated Heads of Service (or other senior nominated employees acting on their behalf) to undertake these functions on their behalf.

Functions of the Appointments and Investigating Committee

- (10) Action in accordance with any grievance procedure approved by the Council.

- (11) The duty to appoint an Electoral Registration Officer*

- (12) The duty to appoint a Returning Officer for Borough Elections*

- (13) Duty to provide staff, etc to person nominated by the Monitoring Officer under Section 82A(4) of the Local Government Act 2000

- (14) Authorisation of overtime where unavoidable including, in exceptional circumstances, work over the overtime limit defined in the National Conditions of Service

- (15) Exercise of any discretion given by national and local conditions of service apart from those requiring negotiation and agreement by the Council (e.g. Part 3 of the NJC Conditions of Service).

- (16) Implementation of decisions of recognised joint negotiating bodies regarding salaries, wages and conditions of service.

Delegation of Functions

The following function is delegated to the Chief Executive and Deputy Chief Executive

Action in accordance with any grievance procedure (excluding appeals) approved by the Council involving Heads of Service but excluding the Head of the Paid Service, the Chief Finance Officer and the Monitoring Officer. Grievances raised against the Chief Executive will be dealt with by the Appointments and Investigating Committee.

The following function is delegated to the appropriate Head of Service

Authorisation of overtime where unavoidable including, in exceptional circumstances, work over the overtime limit defined in the National Conditions of Service

The following function is delegated to the appropriate Head of Service

Exercise of any discretion given by national and local conditions of service apart from those requiring negotiation and agreement by the Council (e.g. Part 3 of the NJC Conditions of Service).

The following function is delegated to the Head of Legal, Democracy and HR

Implementation of decisions of recognised joint negotiating bodies regarding salaries, wages and conditions of service.

Functions of the Appointments and Investigating Committee

- (17) Granting of approved staff benefits to individual posts including essential car users' schemes and reimbursement of professional subscriptions.
- (18) Granting of relocation assistance in accordance with the Council's scheme
- (19) Granting of additional or accelerated increments to staff to reflect special merit or to adjust anomalies in a work area.
- (20) Issue of certificates confirming for the purposes of S3(3) of the Local Government Act 1989 that the "sensitive duties criteria" does not apply
- (21) Implementation of job evaluation reviews
- (22) The prior agreement of proposed changes in responsibilities to existing posts which are likely to result in an increase in salary, before the post is reassessed through the job evaluation process.

Delegation of Functions

The following function is delegated to the Head of Legal, Democracy and HR in consultation with the relevant Head of Service

Granting of approved staff benefits to individual posts including essential car users' schemes and reimbursement of professional subscriptions.

The following function is delegated to the appropriate Head of Service in consultation with the Human Resources and Organisational Development Manager

Granting of relocation assistance in accordance with the Council's scheme

The following function is delegated to the Head of Legal, Democracy and HR in consultation with the appropriate Head of Service

Granting of additional or accelerated increments to staff to reflect special merit or to adjust anomalies in a work area.

The following function is delegated to the Head of Legal, Democracy and HR

Issue of certificates confirming for the purposes of S3(3) of the Local Government Act 1989 that the "sensitive duties criteria" does not apply

The following function is delegated to the Head of Legal, Democracy and HR

Implementation of job evaluation reviews

The following function is delegated to the Chief Executive / Deputy Chief Executive

Functions of the Appointments and Investigating Committee

- (23) The application of nationally negotiated pay awards to locally agreed pay structures

- (24) To approve any exceptions that may occur under paragraph 4.4 of Report ODI/10 relating to the Recruitment Incentive Scheme and the associated Retention Incentive Scheme

- (25) Minor changes to Human Resources policies and procedures which are in line with the Council's overall policies and the budget, subject to the publication of such decisions in the Councillors' Information Bulletin

Delegation of Functions

The prior agreement of proposed changes in responsibilities to existing posts which are likely to result in an increase in salary, before the post is reassessed through the job evaluation process.

The following function is delegated to the Head of Legal, Democracy and HR

The application of nationally negotiated pay awards to locally agreed pay structures.

The following function is delegated to the Head of Legal, Democracy and HR following consultation with the Cabinet Member for Resources

To approve minor amendments to nationally agreed pay structures, following consultation with the Cabinet Member for Resources and in line with the Council's overall policies and the budget, and subject to the publication of such decisions in the Councillors' Information Bulletin.

The following function is delegated to the Head of Legal, Democracy and HR following consultation with the Cabinet Member for Resources

To approve any exceptions that may occur under paragraph 4.4 of Report ODI/10 relating to the Recruitment Incentive Scheme and the associated Retention Incentive Scheme.

The following function is delegated to the Head of Legal, Democracy and HR following consultation with the Cabinet Member for Resources

Minor changes to Human Resources policies and procedures which are in line with the Council's overall policies and the budget, subject to the publication of such decisions in the Councillors' Information Bulletin

Functions of the Appointments and Investigating Committee

(26) To make a decision on a recommendation from an Independent Person when acting pursuant to Section 28(7) of The Localism Act 2011, when considering a Code of Conduct Complaint.

* These matters may be considered by the Appointments and Investigating Committee but shall be referred to the Council for determination

See also Council functions

Delegation of Functions

The following function is delegated to the Head of Legal, Democracy and HR in consultation with Party Group Leaders
The appointment of Members to serve on the Panel