

**North East Derbyshire District Council**

**Council**

**11 November 2019**

**Change to the Constitution – Joint Employment and Appeals Committee –North East Derbyshire District Council only appointments – referral by Standards Committee**

**Report of the Chair of 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 North East Derbyshire only members of SAMT.

**1 Report Details**

- 1.1 A report was submitted to Standards Committee on **19 September 2019** in relation to the options for the interview panel for SAMT appointments which are North East Derbyshire only appointments. Members will have seen elsewhere on this agenda that 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 North East Derbyshire 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.

## 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 North East Derbyshire 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

<b>Is the decision a Key Decision?</b> 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>	No
<b>Is the decision subject to Call-In?</b> (Only Key Decisions are subject to Call-In)	No
<b>Has the relevant Portfolio Holder been informed</b>	Yes
<b>District Wards Affected</b>	None
<b>Links to Corporate Plan priorities or Policy Framework</b>	All indirectly

**8 Document Information**

Appendix No	Title
1	Extract from Standards Committee Minutes of 19 <sup>th</sup> September 2019
<b>Background Papers</b> (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

# Appendix 1

Council

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## RECOMMENDED ITEM FROM STANDARDS COMMITTEE – 19th September 2019

### DRAFT MINUTE EXTRACT

#### 258 Review of the Council's Constitution

Members gave consideration to the list of areas for review within the Council's Constitution prior to submission as part of the annual review of the Constitution to Council for adoption.

Contained within Appendix 1 were two areas of review to consider with a proposal and rationale for change.

#### Joint Employment and Appeals Committee

It was highlighted that the Terms of Reference for the Joint Employment and Appeal Committee did not make mention of a scenario where one singular Authority may need to undertake recruitment for an SAMT Member who would work solely for that Authority. Suggested wording was offered to the meeting to be inserted in to the Terms of Reference to permit this.

Following discussion it was agreed that the following wording be inserted:-

*“Where the Authority determinates to recruit a Head of Service or 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 of the four Members of the Joint Employment and Appeals Committee.*

*The Terms of Reference for the Employment and Appeals Committee will be as for the JEAC with the exception that the appointment or disciplinary process relates to an NEDDC employee only.”*

RESOLVED – That the suggested changes be recommended to Council for adoption.