

Committee: Council

Date: Tuesday, 22
February 2022

Title: Permanent arrangements of the Appointments
Committee

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Summary

1. The Appointments Committee was established at the Council meeting on 18 May 2021 to advise the Council on the process for appointing a new Chief Executive (Head of Paid Service) and new Assistant Director of Governance & Legal (Monitoring Officer) and recommend these appointments to Full Council. These appointments have since been made.
2. In order to make future new Chief Officer appointments pursuant to Section 2, Part 4 – Officer Employment Procedure Rules, of the Constitution, it is proposed that the Appointments Committee be established on a permanent basis and its remit be extended.

Recommendations

3. That the Appointments Committee be established on a permanent basis and its remit extended to:
 - i. All new Chief Officer appointments, whether or not statutory, save for those not reserved exclusively for candidates drawn from the Council's existing staff (see Art 2 Part 4 of the Council's Constitution) as part of but not limited to the case of adjustments to the overall departmental structure of the Council pursuant to Art 12.4.2 of Part 2 of the Council's Constitution.
 - ii. That membership of the said Committee be composed of 3 Residents for Uttlesford, 1 Liberal Democrat, 1 Conservative, 1 Green and 1 Independent member, including at least one member of the Executive, on the nomination of Group Leaders.

Financial Implications

4. There are no direct financial implications arising from this report.

Background Papers

5. Councils Constitution (refer to Appendix A):
 - Section 2, Part 4 – Officer Employment Procedure Rules (page 98)

- Art 2 Part 4 (page 97)
- Art 12.4.2 of Part 2 (page 34)
- Art 9 Part 2 (page 27)
- Art 4.1 Part 4 (page 98)

Situation

6. The Appointments Committee was established at the Council meeting on 18 May 2021 to advise the Council on the process for appointing a new Chief Executive (Head of Paid Service) and new Assistant Director of Governance & Legal (Monitoring Officer) and recommend these appointments to Full Council. These appointments have since been made.
7. In order to make future new Chief Officer appointments pursuant to Section 2, Part 4 – Officer Employment Procedure Rules, of the Constitution, it is proposed that the Appointments Committee be established on a permanent basis and its remit be extended to:
 - a) All new Chief Officer appointments, whether or not statutory, save for those not reserved exclusively for candidates drawn from the Council's existing staff (see Art 2 Part 4 of the Council's Constitution) as part of but not limited to the case of adjustments to the overall departmental structure of the Council pursuant to Art 12.4.2 of Part 2 of the Council's Constitution.
8. The Appointments Committee established on 18 May 2021 and tasked with recommending appointments for the Head of Paid Service and Monitoring Officer roles was composed of seven members and the scheme considered by Council proposed 4 Resident for Uttlesford members, 1 Liberal Democrat, 1 Conservative and 1 Independent or Green member. In order for all political Groups to be represented on the Committee, a scheme of 3 Resident for Uttlesford members, 1 Liberal Democrat, 1 Conservative, 1 Independent and 1 Green member has been proposed. Individual appointments are to be made on the nomination of Group Leaders.
9. The establishment of a permanent Committee will ensure that the Council has the correct governance arrangements in place when an appointment to a new Chief Officer position is required. Meetings of the Committee will only be called as and when needed.
10. For Statutory Officer appointments the Appointments Committee will make recommendations to Full Council for their confirmation of such appointments.

Risk Analysis

Risk	Likelihood	Impact	Mitigating actions
That proper processes are not followed in the appointment of new Chief Officer positions	1	2	<ul style="list-style-type: none"> • HR & Procurement & governance arrangements are in place to ensure compliance with relevant employment & financial legislation & Constitutional requirements • Appointments Committee (or delegated representatives) to agree, and be integral to the process with advice and support from HR Manager and HofPS&CE

1 = Little or no risk or impact

2 = Some risk or impact – action may be necessary.

3 = Significant risk or impact – action required

4 = Near certainty of risk occurring, catastrophic effect or failure of project.

Section 2, Part 4 – Officer Employment Procedure Rules (page 98)

4. Appointment of chief officers and deputy chief officers

This process is subject to mandatory standing orders regulations.

4.1 A committee or sub-committee of the Council will appoint chief officers. That committee or sub-committee must include at least one member of the executive.

4.2 An offer of employment as a chief officer shall only be made where no well-founded objection from any member of the executive has been received.

4.3 Appointment of deputy chief officers is the responsibility of the Head of Paid Service or his/her nominee.

Art 2 Part 4 (page 97)

2. Recruitment of Head of Paid Service and chief officers

Where the Council proposes to appoint a chief officer and it is not proposed that the appointment be made exclusively from among their existing officers, the Council will:

2.1 draw up a statement specifying:

- i) the duties of the officer concerned; and
- ii) any qualifications or qualities to be sought in the person to be appointed;

2.2 make arrangements for the post to be advertised in such a way as is likely to bring it to the attention of persons who are qualified to apply for it; and

2.3 make arrangements for a copy of the statement mentioned in paragraph (2.1) to be sent to any person on request.

Art 12.4.2 of Part 2 (page 34)

12.4.2 The Head of Paid Service will determine and publish a description of the overall departmental structure of the Council showing the management structure and deployment of officers.

Art 4.1 Part 4 (page 98)

4.1 A committee or sub-committee of the Council will appoint chief officers. That committee or sub-committee must include at least one member of the executive.